



## OFFICE OF RECIPIENT RIGHTS

John T. Sanford, III, Director

### Annual Report FY 2007/2008

We must scrupulously guard the civil rights and civil liberties of all citizens whatever their background. We must remember that any oppression, any injustice, any hatred, is a wedge designed to attack our civilization.

Franklin D. Roosevelt

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**Mission:** To protect and promote the constitutional and statutory rights of recipients of public mental health services and empower recipients to fully exercise these rights.

**Vision:** All recipients of public mental health services are empowered to exercise their rights and are able to fully participate in all facets of their lives.

# **INTRODUCTION**

## **The Department**

The Michigan Mental Health Code, PA 258 of 1974, established the Michigan Department of Community Health Office of Recipient Rights (DCH-ORR), its functions and its responsibilities. The primary mandates of the office are to provide direct rights protection and advocacy services to individuals admitted to state psychiatric hospitals and centers for developmental disabilities and to assess and monitor the quality and effectiveness of the rights protection systems in community mental health service programs and licensed private psychiatric hospitals/units.

In order to fulfill the statutory mandates, DCH-ORR is organized into three distinct units: the Field Unit, the Training Unit and the Community Rights Unit (See Organizational Chart). This report will summarize the activity in each of these units for FY 2007/2008, as well as discuss any patterns and trends in rights protection in the state of Michigan identified for this period of time.

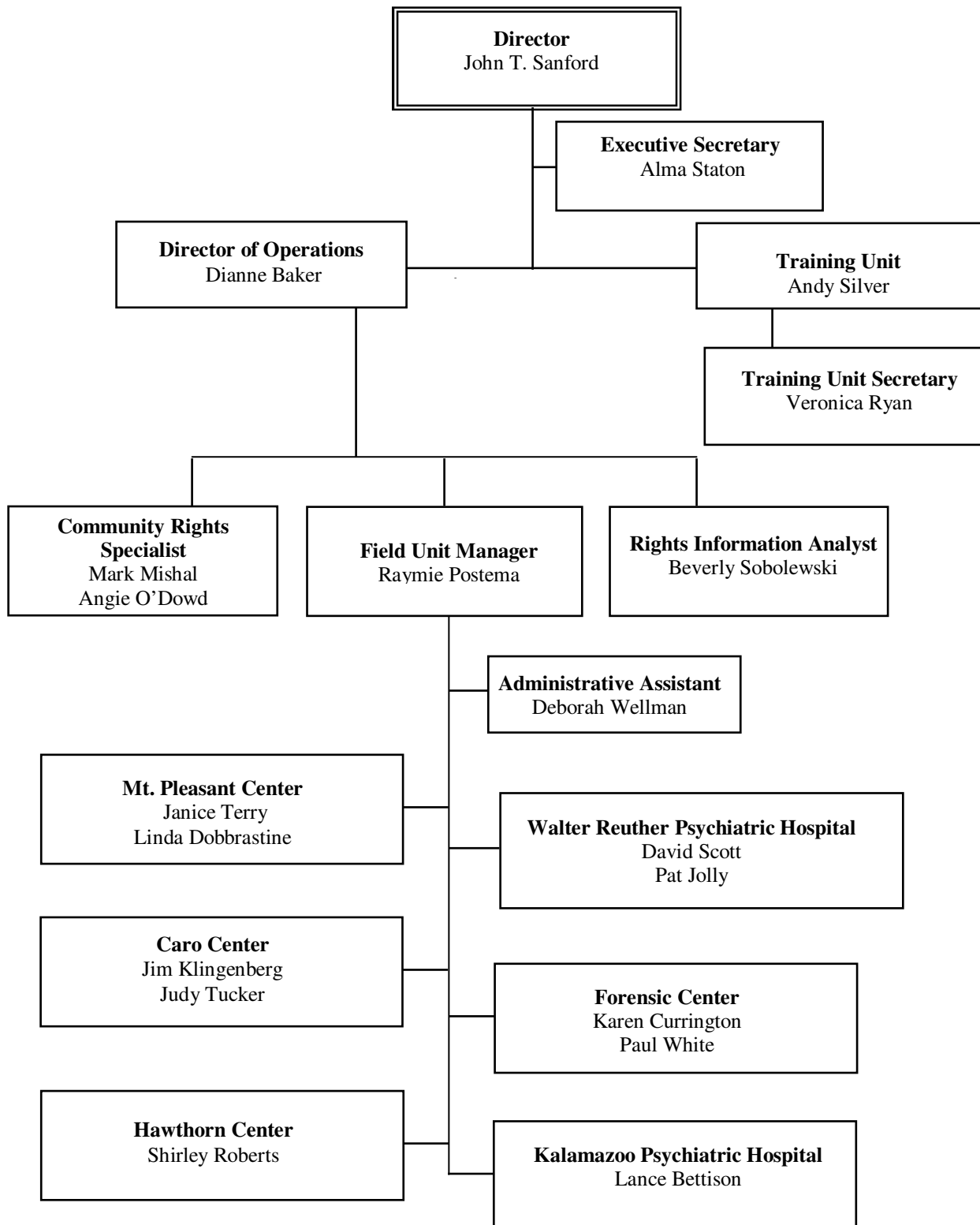
## **The Annual Report**

This Annual Report reflects the requirements outlined in Section 330.1754. The State Office of Recipient Rights shall submit to the director of the department and to the committees and subcommittees of the legislature with legislative oversight of mental health matters, for availability to the public, an annual report on the current status of recipient rights for the state. The report shall be submitted not later than March 31 of each year for the preceding fiscal year. The annual report shall include, at a minimum, all of the following:

- (i) Summary data by type or category regarding the rights of recipients receiving services from the department including the number of complaints received by state facility and other state-operated placement agency, the number of reports filed, and the number of reports investigated
- (ii) The number of substantiated rights violations in each state facility by category
- (iii) The remedial actions taken on substantiated rights violations in each state facility by category
- (iv) Training received by staff of the state office of recipient rights
- (v) Training provided by the state office of recipient rights to staff of contract providers
- (vi) Outcomes of assessments of the recipient rights system of each community mental health services program
- (vii) Identification of patterns and trends in rights protection in the public mental health system in this state
- viii) Review of budgetary issues including staffing and financial resources
- (ix) Summary of the results of any consumer satisfaction surveys conducted (none FY 07/08)
- (x) Recommendations to the department

# Michigan Department of Community Health

## OFFICE OF RECIPIENT RIGHTS



## RECOMMENDATIONS to the DEPARTMENT of COMMUNITY HEALTH

1. The Department of Community Health must establish clear statutory and contractual sanctions to be taken against a CMHSP for its failure to achieve substantial compliance with standards established by the department for the protection and promotion of recipient rights.
2. The proposed Mental Health Code amendments submitted to the department by this Office in January 2007 should be placed as a priority on the DCH Legislative Agenda for FY 2009.
3. The Department of Community Health should take action on recommendations 1 through 3 contained in Part III, Pilot Licensed Hospital Rights System Assessment Report dated March 2008, specifically:

1. *Under the authority granted to the Director of the Department of Community Health in MCL 330.1134(2) to "...coordinate all functions within state government affecting psychiatric hospitals, and ... cooperate with other state agencies that establish standards or requirements for facilities providing mental health care...", it is recommended that the DCH Director designate DCH-ORR to biennially conduct recipient rights system assessments at psychiatric hospitals/units licensed by the department for licensure purposes. This designation would "... assure necessary, equitable, and consistent state regulation of these facilities without duplication of inspection or services." ( MCL 330.1134[2]). This recommendation is further supported by Recommendation #49 made by the Michigan Mental Health Commission.*

2. *MCL 330.1753(1) currently states:*

*"The department shall review the recipient rights system of each community mental health services program in accordance with standards established under section 232a, to ensure a uniformly high standard of recipient rights protection throughout the state. For purposes of certification review, the department shall have access to all information pertaining to the rights protections system of the community mental health services program."*

*This subsection should be amended to indicate:*

***"IN ORDER TO ENSURE A UNIFORMLY HIGH STANDARD OF RECIPIENT RIGHTS PROTECTION THROUGHOUT THE STATE, the- DEPARTMENT'S OFFICE OF RECIPIENT RIGHTS shall review the recipient rights system of each community mental health services program in accordance with standards established under section 232a, AND EACH HOSPITAL LICENSED UNDER SECTION 137 IN ACCORDANCE WITH STANDARDS ESTABLISHED UNDER SECTION 755. For purposes of certification OR LICENSURE review, the STATE OFFICE OF RECIPIENT RIGHTS shall have access to all information pertaining to the rights protections system of the community mental health services program OR LICENSED HOSPITAL."***

3. *In order to effectuate Recommendations 1. and 2., the department must establish an additional FTE Community Rights Specialist in the DCH-ORR Community Rights Unit. The position would be responsible for the biennial recipient rights system assessments at all psychiatric hospitals or units licensed by the department.*

4. The Department of Community Health /Mental Health and Substance Abuse Services Administration should adopt a uniform system across state operated psychiatric facilities to implement person-centered planning with a focus on Wellness and Recovery.

## **PART II - FIELD UNIT**

### **Background**

During FY 2007/08 ORR had field offices providing rights protection services to each of the six state hospitals and centers: Caro Center, Hawthorn Center, Mt. Pleasant Center, Kalamazoo Psychiatric Hospital, Walter Reuther Psychiatric Hospital, and the Center for Forensic Psychiatry. As of September 30, 2008, the Field Unit consisted of a Field Manager, one Administrative Assistant, and ten Rights Advisors.

### **Relevant Definitions**

**Allegation:** An assertion of fact made by an individual that has not yet been proved or supported with evidence.

**Investigation:** A detailed inquiry into and a systematic examination of an allegation raised in a rights complaint and reported in accordance with Chapter 7A (must be conducted on allegations of abuse, neglect, serious injury or death when reasonable suspicion exists that a rights violation may have occurred), and may be conducted on other allegations at the discretion of the rights officer/advisor.

**Intervention:** To act on behalf of a recipient to resolve a complaint alleging a violation of a code-protected right when the facts are clear and the remedy, if applicable, is clear, easily obtainable and does not involve statutorily required disciplinary action.

**Preponderance:** A standard of proof which is met when, based upon all the available evidence, it is more likely that a right was violated than not; greater weight of evidence, not as to quantity (number of witnesses), but as to quality (believability and greater weight of important facts provided).

**Substantiation:** A determination that a right was violated, utilizing a preponderance of evidence standard (evidence which is of greater weight or more convincing than the evidence offered in opposition to it) as proof.

**Appropriate Remedial Action:** Section 330.1780 (1): "If it has been determined through investigation that a right has been violated, the respondent shall take appropriate remedial action that meets all of the following requirements: (a) Corrects or provides a remedy for the rights violations. (b) Is implemented in a timely manner. (c) Attempts to prevent a recurrence of the rights violation." It is the responsibility of the ORR to maintain a record of the documented action.

### **Complaint Data and Remedial Action**

The following is a comparison of complaint activity over five fiscal years:

| FY   | Complaints | Number investigated | Number substantiated |
|------|------------|---------------------|----------------------|
| 2004 | 3524       | 677                 | 282                  |
| 2005 | 4144       | 633                 | 214                  |
| 2006 | 3360       | 522                 | 222                  |
| 2007 | 3200       | 448                 | 162                  |
| 2008 | 2722       | 449                 | 175                  |

There were a total of 2722 complaints received in state facilities for FY 07/08. Complaints received that involved an allegation of a code protected right were resolved through intervention in 79% of cases with 4.8% of allegations substantiated. Allegations of code protected rights violations were investigated in 21% of cases with 20% of allegations substantiated. There were a total of 535 complaints received that did not include an allegation of a code protected right or were outside the jurisdiction of the facility's rights office. April 1, 2008 the DCH Office of Recipient Rights implemented a new category for complaints received regarding allegations that did not involve a code protected right, 0003. These complaints were handled as an intervention to help the complainant resolve their complaint or concern even though there was no determination that any rights violation occurred. Of the 535 complaints received that did not involve an allegation of a code protected right or were outside the jurisdiction of the rights office, 364 were not opened and 171 were opened to assist the complainant in obtaining some resolution.

Following is the ORR complaint data and remedial action taken for specific types of rights violations for fiscal years FY 2007/2008 by individual facility. Section 16, NGRI/IST was not collected during this reporting period.

**Agency: Caro Center**

**Rights Advisors: Jim Klingenberg and Judy Tucker**

**Section I: Complaint Data Summary:**

**Part A: Totals**

|                                 |            |
|---------------------------------|------------|
| <b>Allegations Involved</b>     | <b>628</b> |
| <b>Allegations Investigated</b> | <b>106</b> |
| <b>Substantiated</b>            | <b>34</b>  |

**Part B: Aggregate Summary**

1. Freedom from Abuse

| <b>Code</b> | <b>Category</b>                          | <b>Received</b> | <b>Investigation</b> | <b>Intervention</b> | <b>Interventions Substantiated</b> | <b>Investigations Substantiated</b> |
|-------------|--|-----------------|----------------------|---------------------|------------------------------------|-------------------------------------|
| 7221        | abuse class I                            |                 |                      |                     |                                    |                                     |
| 72221       | abuse class II - nonaccidental act       | 21              | 21                   |                     |                                    |                                     |
| 72222       | abuse class II - unreasonable force      | 19              | 19                   |                     |                                    | 2                                   |
| 72223       | abuse class II - emotional harm          |                 |                      |                     |                                    |                                     |
| 72224       | abuse class II - treating as incompetent |                 |                      |                     |                                    |                                     |
| 72225       | abuse class II - exploitation            | 1               | 1                    |                     |                                    |                                     |
| 7223        | abuse class III                          | 27              | 27                   |                     |                                    | 1                                   |
| 7224        | abuse class I - sexual abuse             | 13              | 13                   |                     |                                    |                                     |



## 2. Freedom from Neglect

| Code  | Category                              | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|-------|---------------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 72251 | neglect class I                       | 2        | 2             |              |                             | 1                            |
| 72252 | neglect class I - failure to report   | 1        | 1             |              |                             | 1                            |
| 72261 | neglect class II                      | 1        | 1             |              |                             |                              |
| 72262 | neglect class II - failure to report  |          |               |              |                             |                              |
| 72271 | neglect class III                     | 7        | 7             |              |                             | 3                            |
| 72272 | neglect class III - failure to report |          |               |              |                             |                              |

## 3. Rights Protection System

| Code | Category                        | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|---------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7060 | notice/explanation of rights    |          |               |              |                             |                              |
| 7520 | failure to report               |          |               |              |                             |                              |
| 7545 | retaliation/harassment          | 2        | 2             |              |                             | 1                            |
| 7760 | access to rights system         |          |               |              |                             |                              |
| 7780 | complaint investigation process |          |               |              |                             |                              |
| 7840 | appeal process/mediation        |          |               |              |                             |                              |

## 4. Admission/Discharge/Second Opinion

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 4090 | second opinion - denial of hospitalization       | 1        | 1             |              |                             | 1                            |
| 4190 | termination of voluntary hospitalization (adult) |          |               |              |                             |                              |
| 4510 | involuntary admission process                    | 5        |               | 5            |                             |                              |
| 4630 | independent clinical examination                 |          |               |              |                             |                              |
| 4980 | objection to hospitalization (minor)             |          |               |              |                             |                              |
| 7050 | second opinion - denial of services              |          |               |              |                             |                              |

## 5. Civil Rights

| Code | Category  | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|---|----------|---------------|--------------|-----------------------------|------------------------------|
| 7041 | civil rights: discrimination, accessibility, accommodation, etc | 3        |               | 3            |                             |                              |
| 7044 | religious practice  | 1        |               | 1            |                             |                              |
| 7045 | voting  |          |               |              |                             |                              |
| 7047 | presumption of competency                                       |          |               |              |                             |                              |
| 7284 | search/seizure  | 2        | 1             |              |                             | 1                            |

## 6. Family Rights

| Code | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7111 | family dignity & respect                 |          |               |              |                             |                              |
| 7112 | receipt of general education information |          |               |              |                             |                              |
| 7113 | opportunity to provide information       |          |               |              |                             |                              |

#### 7. Communication & Visits

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7261 | visits   | 1        |               | 1            |                             |                              |
| 7262 | contact with attorneys or others regarding legal matters | 2        |               | 2            |                             |                              |
| 7263 | access to telephone, mail                                | 17       |               | 17           | 2                           |                              |
| 7264 | funds for postage, stationery, telephone usage           | 1        |               | 1            |                             |                              |
| 7265 | written and posted limitations, if established           |          |               |              |                             |                              |
| 7266 | uncensored mail  | 3        |               | 3            | 1                           |                              |

#### 8. Confidentiality/Privileged Communications/Disclosure

| Code | Category  | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|---|----------|---------------|--------------|-----------------------------|------------------------------|
| 7481 | disclosure of confidential information                            | 4        | 1             | 3            | 2                           | 1                            |
| 7485 | withholding of information (includes recipient access to records) | 1        |               | 1            |                             |                              |
| 7486 | correction of record  | 7        |               | 7            |                             |                              |
| 7487 | access by p & a to records  |          |               |              |                             |                              |
| 7501 | privileged communication  |          |               |              |                             |                              |

#### 9. Treatment Environment

| Code | Category                    | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|-----------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7081 | safe environment            | 49       |               | 49           | 2                           |                              |
| 7082 | sanitary/humane environment | 60       |               | 60           |                             |                              |
| 7086 | least restrictive setting   | 21       |               | 21           | 1                           |                              |

#### 10. Freedom of Movement

| Code | Category                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7441 | restrictions/limitations | 44       |               | 44           |                             |                              |
| 7400 | restraint                | 2        | 1             | 1            |                             |                              |
| 7420 | seclusion                |          |               |              |                             |                              |

#### 11. Financial Rights

| Code | Category                           | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|------------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7301 | safeguarding money                 | 10       |               | 10           |                             |                              |
| 7302 | facility account                   | 4        |               | 4            |                             |                              |
| 7303 | easy access to money in account    |          |               |              |                             |                              |
| 7304 | ability to spend or use as desired | 4        |               | 4            |                             |                              |
| 7305 | delivery of money upon release     |          |               |              |                             |                              |
| 7360 | labor & compensation               |          |               |              |                             |                              |

#### 12. Personal Property

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7267 | access to entertainment materials, information, news | 9        |               | 9            | 1                           |                              |
| 7281 | possession and use                                   | 43       |               | 43           | 3                           |                              |
| 7282 | storage space  | 4        |               | 4            |                             |                              |
| 7283 | inspection at reasonable times                       |          |               |              |                             |                              |
| 7285 | exclusions   | 1        |               | 1            |                             |                              |
| 7286 | limitations  |          |               |              |                             |                              |

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7287 | receipts to recipient and to designated individual |          |               |              |                             |                              |
| 7288 | waiver   | 1        |               | 1            |                             |                              |
| 7289 | protection   | 19       |               | 19           | 1                           |                              |

### 13. Suitable Services

| Code | Category                                       | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 1708 | dignity and respect                            | 31       | 8             |              | 1                           | 6                            |
| 7003 | informed consent                               | 1        |               | 1            |                             |                              |
| 7029 | information on family planning                 |          |               |              |                             |                              |
| 7049 | treatment by spiritual means                   |          |               |              |                             |                              |
| 7080 | mh services suited to condition                | 46       |               | 46           | 1                           |                              |
| 7100 | physical and mental exams                      | 6        |               | 6            |                             |                              |
| 7130 | choice of physician/mental health professional | 2        |               | 2            |                             |                              |
| 7140 | notice of clinical status/progress             | 1        |               | 1            |                             |                              |
| 7150 | services of mental health professional         | 3        |               | 3            |                             |                              |
| 7160 | surgery  |          |               |              |                             |                              |
| 7170 | electro convulsive therapy (ect)               |          |               |              |                             |                              |
| 7180 | psychotropic drugs                             | 10       |               | 10           |                             |                              |
| 7190 | notice of medication side effects              | 2        |               | 2            | 1                           |                              |

### 14. Treatment Planning

| Code | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7121 | person-centered process                  | 1        |               | 1            |                             |                              |
| 7122 | timely development                       |          |               |              |                             |                              |
| 7123 | requests for review                      |          |               |              |                             |                              |
| 7124 | participation by individual(s) of choice |          |               |              |                             |                              |
| 7125 | assessment of needs                      |          |               |              |                             |                              |

### 15. Photographs, Fingerprints, Audiotapes, One-way Glass

| Code | Category                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7241 | prior consent            | 1        |               | 1            |                             |                              |
| 7242 | identification           |          |               |              |                             |                              |
| 7243 | objection                |          |               |              |                             |                              |
| 7244 | release to others/return |          |               |              |                             |                              |
| 7245 | storage/destruction      |          |               |              |                             |                              |

### 17. No Right Involved

| Code | Category          | Received |
|------|-------------------|----------|
| 0000 | no right involved | 104      |

insert the  
same number



104

### 18. Outside Provider Jurisdiction

| Code | Category                      | Received |
|------|-------------------------------|----------|
| 0001 | outside provider jurisdiction | 7        |

insert the  
same number



7

628

106

498

16

18

| Remedial Action Key |                    |     |   |    |                                    |
|---------------------|--------------------|-----|---|----|------------------------------------|
| 01                  | Verbal Counseling  | 06  | Staff Transfer                              | 10 | Policy Revision/Development        |
| 02                  | Written Counseling | 07  | Training                                    | 11 | Environmental Repair /Enhancement  |
| 03                  | Written Reprimand  | 08  | Employment Termination                      | 12 | Plan of Service Revision           |
| 04                  | Suspension         | *08 | Employee left the agency, but Substantiated | 13 | Recipient Transfer to Another Site |
| 05                  | Demotion           | 09  | Contract Action                             | 14 | Other                              |

**Remedial Action Taken for Caro Center**

| Code  | Category                                  | Action Taken |
|-------|---|--------------|
| 72222 | abuse class II - unreasonable force       | 03           |
| 72222 | abuse class II - unreasonable force       | 03           |
| 72230 | abuse class III                           | 03           |
| 72251 | neglect class I                           | 01           |
| 72262 | neglect class II – failure to report      | 03           |
| 72271 | neglect class III                         | *08          |
| 72271 | neglect class III                         | 02           |
| 72271 | neglect class III                         | 02           |
| 1708  | dignity & respect                         | 11           |
| 1708  | dignity & respect                         | 03           |
| 1708  | dignity & respect                         | 03           |
| 1708  | dignity & respect                         | 04           |
| 1708  | dignity & respect                         | 02           |
| 1708  | dignity & respect                         | 03           |
| 1708  | dignity & respect                         | 07           |
| 4090  | second opinion/denied hospitalization     | 10           |
| 7080  | services suited to condition              | 03           |
| 7081  | safety-treatment environment              | 13           |
| 7081  | safety-treatment environment              | 10           |
| 7086  | least restrictive setting                 | 12           |
| 7190  | notice of medication side effects         | 07           |
| 7263  | access to telephone                       | 10           |
| 7263  | access to telephone                       | 12           |
| 7266  | uncensored mail                           | 12           |
| 7267  | access to enter., materials, infor., news | 11           |
| 7281  | possession/use                            | 01           |
| 7281  | possession/use                            | 01           |
| 7281  | possession/use                            | 01           |
| 7284  | search/seizure                            | 10           |
| 7289  | protection                                | 14           |
| 7481  | disclosure of confidential information    | 01           |
| 7481  | disclosure of confidential information    | 03           |
| 7481  | disclosure of confidential information    | 07           |
| 7545  | retaliation/harassment                    | 04           |

**Agency: Center for Forensic Psychiatry**

**Rights Advisors: Karen Currington and Paul White**

**Sectytion I: *Complaint Data Summary:***

**Part A: Totals**

|                                 |            |
|---------------------------------|------------|
| <b>Allegations Involved</b>     | <b>612</b> |
| <b>Allegations Investigated</b> | <b>78</b>  |
| <b>Substantiated</b>            | <b>31</b>  |

**Part B: Aggregate Summary**

**1. Freedom from Abuse**

| <b>Code</b> | <b>Category</b>                          | <b>Received</b> | <b>Investigation</b> | <b>Intervention</b> | <b>Interventions Substantiated</b> | <b>Investigations Substantiated</b> |
|-------------|--|-----------------|----------------------|---------------------|------------------------------------|-------------------------------------|
| 72210       | abuse class I                            |                 |                      |                     |                                    |                                     |
| 72221       | abuse class II - nonaccidental act       | 11              | 11                   |                     |                                    | 1                                   |
| 72222       | abuse class II - unreasonable force      | 7               | 7                    |                     |                                    | 3                                   |
| 72223       | abuse class II - emotional harm          |                 |                      |                     |                                    |                                     |
| 72224       | abuse class II - treating as incompetent |                 |                      |                     |                                    |                                     |
| 72225       | abuse class II - exploitation            |                 |                      |                     |                                    |                                     |
| 72230       | abuse class III                          | 19              | 19                   |                     |                                    | 1                                   |
| 72240       | abuse class I - sexual abuse             | 1               | 1                    |                     |                                    |                                     |

**2. Freedom from Neglect**

| <b>Code</b> | <b>Category</b>                       | <b>Received</b> | <b>Investigation</b> | <b>Intervention</b> | <b>Interventions Substantiated</b> | <b>Investigations Substantiated</b> |
|-------------|---------------------------------------|-----------------|----------------------|---------------------|------------------------------------|-------------------------------------|
| 72251       | neglect class I                       | 2               | 2                    |                     |                                    |                                     |
| 72252       | neglect class I - failure to report   | 1               | 1                    |                     |                                    | 1                                   |
| 72261       | neglect class II                      |                 |                      |                     |                                    |                                     |
| 72262       | neglect class II - failure to report  |                 |                      |                     |                                    |                                     |
| 72271       | neglect class III                     | 11              | 11                   |                     |                                    | 3                                   |
| 72272       | neglect class III - failure to report |                 |                      |                     |                                    |                                     |

**3. Rights Protection System**

| <b>Code</b> | <b>Category</b>                 | <b>Received</b> | <b>Investigation</b> | <b>Intervention</b> | <b>Interventions Substantiated</b> | <b>Investigations Substantiated</b> |
|-------------|---------------------------------|-----------------|----------------------|---------------------|------------------------------------|-------------------------------------|
| 7060        | notice/explanation of rights    |                 |                      |                     |                                    |                                     |
| 7520        | failure to report               |                 |                      |                     |                                    |                                     |
| 7545        | retaliation/harassment          |                 |                      |                     |                                    |                                     |
| 7760        | access to rights system         |                 |                      |                     |                                    |                                     |
| 7780        | complaint investigation process | 1               |                      | 1                   |                                    |                                     |
| 7840        | appeal process/mediation        |                 |                      |                     |                                    |                                     |

#### 4. Admission/Discharge/Second Opinion

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 4090 | second opinion - denial of hospitalization       |          |               |              |                             |                              |
| 4190 | termination of voluntary hospitalization (adult) |          |               |              |                             |                              |
| 4510 | involuntary admission process                    |          |               |              |                             |                              |
| 4630 | independent clinical examination                 |          |               |              |                             |                              |
| 4980 | objection to hospitalization (minor)             |          |               |              |                             |                              |
| 7050 | second opinion - denial of services              |          |               |              |                             |                              |

#### 5. Civil Rights

| Code | Category  | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|---|----------|---------------|--------------|-----------------------------|------------------------------|
| 7041 | civil rights: discrimination, accessibility, accommodation, etc | 4        |               | 4            |                             |                              |
| 7044 | religious practice  | 6        | 1             | 5            | 1                           |                              |
| 7045 | voting  | 1        |               | 1            |                             |                              |
| 7047 | presumption of competency                                       | 1        |               | 1            |                             |                              |
| 7284 | search/seizure  | 7        | 1             | 6            |                             |                              |

#### 6. Family Rights

| Code | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7111 | family dignity & respect                 |          |               |              |                             |                              |
| 7112 | receipt of general education information |          |               |              |                             |                              |
| 7113 | opportunity to provide information       |          |               |              |                             |                              |

#### 7. Communication & Visits

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7261 | visits   | 1        |               | 1            |                             |                              |
| 7262 | contact with attorneys or others regarding legal matters |          |               |              |                             |                              |
| 7263 | access to telephone, mail                                | 17       | 1             | 16           |                             | 1                            |
| 7264 | funds for postage, stationery, telephone usage           |          |               |              |                             |                              |
| 7265 | written and posted limitations, if established           |          |               |              |                             |                              |
| 7266 | uncensored mail  | 3        |               | 3            |                             |                              |

#### 8. Confidentiality/Privileged Communications/Disclosure

| Code | Category  | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|---|----------|---------------|--------------|-----------------------------|------------------------------|
| 7481 | disclosure of confidential information                            | 2        | 1             | 1            |                             |                              |
| 7485 | withholding of information (includes recipient access to records) | 3        |               | 3            |                             |                              |
| 7486 | correction of record  |          |               |              |                             |                              |
| 7487 | access by p & a to records  |          |               |              |                             |                              |
| 7501 | privileged communication  |          |               |              |                             |                              |

#### 9. Treatment Environment

| Code | Category                    | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|-----------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7081 | safe environment            | 25       |               | 25           | 1                           |                              |
| 7082 | sanitary/humane environment | 34       |               | 34           | 2                           |                              |
| 7086 | least restrictive setting   | 5        |               | 5            |                             |                              |

#### 10. Freedom of Movement

| Code | Category                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7441 | restrictions/limitations | 28       | 1             | 27           |                             |                              |
| 7400 | restraint                | 1        |               | 1            |                             |                              |
| 7420 | seclusion                | 1        |               | 1            |                             |                              |

#### 11. Financial Rights

| Code | Category                           | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|------------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7301 | safeguarding money                 | 4        |               | 4            |                             |                              |
| 7302 | facility account                   | 7        |               | 7            |                             |                              |
| 7303 | easy access to money in account    | 11       | 1             | 10           |                             |                              |
| 7304 | ability to spend or use as desired |          |               |              |                             |                              |
| 7305 | delivery of money upon release     |          |               |              |                             |                              |
| 7360 | labor & compensation               | 1        |               | 1            |                             |                              |

#### 12. Personal Property

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7267 | access to entertainment materials, information, news | 3        |               | 3            | 1                           |                              |
| 7281 | possession and use                                   | 32       | 1             | 31           | 1                           | 1                            |
| 7282 | storage space  |          |               |              |                             |                              |
| 7283 | inspection at reasonable times                       | 3        | 1             | 2            |                             |                              |
| 7285 | exclusions   | 2        |               | 2            |                             |                              |
| 7286 | limitations  | 1        |               | 1            |                             |                              |
| 7287 | receipts to recipient and to designated individual   | 1        |               | 1            |                             |                              |
| 7288 | waiver   |          |               |              |                             |                              |
| 7289 | protection   | 17       |               | 17           |                             |                              |

#### 13. Suitable Services

| Code | Category                                       | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 1708 | dignity and respect                            | 46       | 18            | 28           |                             | 1                            |
| 7003 | informed consent                               |          |               |              |                             |                              |
| 7029 | information on family planning                 | 1        |               | 1            |                             |                              |
| 7049 | treatment by spiritual means                   |          |               |              |                             |                              |
| 7080 | mh services suited to condition                | 111      |               | 111          | 13                          |                              |
| 7100 | physical and mental exams                      |          |               |              |                             |                              |
| 7130 | choice of physician/mental health professional |          |               |              |                             |                              |
| 7140 | notice of clinical status/progress             |          |               |              |                             |                              |
| 7150 | services of mental health professional         |          |               |              |                             |                              |
| 7160 | surgery  |          |               |              |                             |                              |

| Code | Category                          | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|-----------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7170 | electro convulsive therapy (ect)  |          |               |              |                             |                              |
| 7180 | psychotropic drugs                | 23       |               | 23           |                             |                              |
| 7190 | notice of medication side effects | 1        |               | 1            |                             |                              |

#### 14. Treatment Planning

| Code | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7121 | person-centered process                  | 3        |               | 3            |                             |                              |
| 7122 | timely development                       |          |               |              |                             |                              |
| 7123 | requests for review                      |          |               |              |                             |                              |
| 7124 | participation by individual(s) of choice |          |               |              |                             |                              |
| 7125 | assessment of needs                      | 3        |               | 3            |                             |                              |

#### 15. Photographs, Fingerprints, Audiotapes, One-way Glass

| Code | Category                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7241 | prior consent            |          |               |              |                             |                              |
| 7242 | identification           |          |               |              |                             |                              |
| 7243 | objection                |          |               |              |                             |                              |
| 7244 | release to others/return |          |               |              |                             |                              |
| 7245 | storage/destruction      |          |               |              |                             |                              |

#### 17. No Right Involved

| Code | Category          | Received |
|------|-------------------|----------|
| 0000 | no right involved | 119      |

insert the  
same number



119

#### 18. Outside Provider Jurisdiction

| Code | Category                      | Received |
|------|-------------------------------|----------|
| 0001 | outside provider jurisdiction | 31       |

insert the  
same number



31

612

78

534

19

12

| Remedial Action Key |                    |     |   |    |   |
|---------------------|--------------------|-----|---|----|---|
| 01                  | Verbal Counseling  | 06  | Staff Transfer                              | 10 | Policy Revision/Development                 |
| 02                  | Written Counseling | 07  | Training                                    | 11 | Environmental Repair /Enhancement           |
| 03                  | Written Reprimand  | 08  | Employment Termination                      | 12 | Plan of Service Revision                    |
| 04                  | Suspension         | *08 | Employee left the agency, but substantiated | 13 | Recipient Transfer to Another Provider/Site |
| 05                  | Demotion           | 09  | Contract Action                             | 14 | Other                                       |

#### Remedial Action Taken for Caro Center

| Code  | Category                            | Action Taken |
|-------|-------------------------------------|--------------|
| 72221 | abuse class II - non-accidental act | 04           |
| 72221 | abuse class II - non-accidental act | 04           |
| 72222 | abuse class II - unreasonable force | 02           |
| 72222 | abuse class II - unreasonable force | 04           |
| 72222 | abuse class II - unreasonable force | 04           |
| 72230 | abuse class III                     | 03           |
| 72252 | neglect class I - failure to report | 03           |



| Code  | Category                                  | Action Taken |
|-------|---|--------------|
| 72271 | neglect class III                         | 03           |
| 72271 | neglect class III                         | 03           |
| 72271 | neglect class III                         | 04           |
| 1708  | dignity & respect                         | 07           |
| 7044  | religious practice                        | 12           |
| 7080  | Services suited to condition              | 14           |
| 7080  | Services suited to condition              | 14           |
| 7080  | Services suited to condition              | 14           |
| 7080  | Services suited to condition              | 14           |
| 7080  | services suited to condition              | 11           |
| 7080  | services suited to condition              | 10           |
| 7080  | services suited to condition              | 07           |
| 7080  | services suited to condition              | 11           |
| 7080  | services suited to condition              | 01           |
| 7080  | services suited to condition              | 11           |
| 7080  | services suited to condition              | 12           |
| 7080  | services suited to condition              | 12           |
| 7080  | services suited to condition              | 10           |
| 7081  | safety-treatment environment              | 12           |
| 7082  | sanitary/human-treatment environment      | 14           |
| 7082  | sanitary/human-treatment environment      | 14           |
| 7085  | nutrition                                 | 07           |
| 7263  | access to telephone                       | 02           |
| 7267  | access to enter., materials, infor., news | 14           |
| 7281  | possession/use                            | 14           |
| 7281  | possession/use                            | 14           |

**Agency: Hawthorn Center**

**Rights Advisor: Shirley Roberts**

**Section I: Complaint Data Summary:**

**Part A: Totals**

|                                 |            |
|---------------------------------|------------|
| <b>Allegations Involved</b>     | <b>145</b> |
| <b>Allegations Investigated</b> | <b>28</b>  |
| <b>Substantiated</b>            | <b>15</b>  |

**Part B: Aggregate Summary**

1. Freedom from Abuse

| Code  | Category                            | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|-------|-------------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 72210 | abuse class I                       | 1        | 1             |              |                             |                              |
| 72221 | abuse class II - nonaccidental act  | 8        | 8             |              |                             | 1                            |
| 72222 | abuse class II - unreasonable force | 9        | 9             |              |                             | 2                            |
| 72223 | abuse class II - emotional harm     |          |               |              |                             |                              |

| Code  | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|-------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 72224 | abuse class II - treating as incompetent |          |               |              |                             |                              |
| 72225 | abuse class II - exploitation            |          |               |              |                             |                              |
| 72230 | abuse class III                          | 8        | 8             |              |                             |                              |
| 72240 | abuse class I - sexual abuse             | 1        | 1             |              |                             |                              |

## 2. Freedom from Neglect

| Code  | Category                              | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|-------|---------------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 72251 | neglect class I                       |          |               |              |                             |                              |
| 72252 | neglect class I - failure to report   |          |               |              |                             |                              |
| 72261 | neglect class II                      |          |               |              |                             |                              |
| 72262 | neglect class II - failure to report  |          |               |              |                             |                              |
| 72271 | neglect class III                     |          |               |              |                             |                              |
| 72272 | neglect class III - failure to report |          |               |              |                             |                              |

## 3. Rights Protection System

| Code | Category                        | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|---------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7060 | notice/explanation of rights    |          |               |              |                             |                              |
| 7520 | failure to report               |          |               |              |                             |                              |
| 7545 | retaliation/harassment          |          |               |              |                             |                              |
| 7760 | access to rights system         |          |               |              |                             |                              |
| 7780 | complaint investigation process |          |               |              |                             |                              |
| 7840 | appeal process/mediation        |          |               |              |                             |                              |

## 4. Admission/Discharge/Second Opinion

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 4090 | second opinion - denial of hospitalization       |          |               |              |                             |                              |
| 4190 | termination of voluntary hospitalization (adult) |          |               |              |                             |                              |
| 4510 | involuntary admission process                    |          |               |              |                             |                              |
| 4630 | independent clinical examination                 |          |               |              |                             |                              |
| 4980 | objection to hospitalization (minor)             | 1        |               | 1            |                             |                              |
| 7050 | second opinion - denial of services              |          |               |              |                             |                              |

## 5. Civil Rights

| Code | Category  | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|---|----------|---------------|--------------|-----------------------------|------------------------------|
| 7041 | civil rights: discrimination, accessibility, accommodation, etc |          |               |              |                             |                              |
| 7044 | religious practice  |          |               |              |                             |                              |
| 7045 | voting  |          |               |              |                             |                              |
| 7047 | presumption of competency                                       |          |               |              |                             |                              |
| 7284 | search/seizure  |          |               |              |                             |                              |

6. Family Rights

| Code | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7111 | family dignity & respect                 |          |               |              |                             |                              |
| 7112 | receipt of general education information |          |               |              |                             |                              |
| 7113 | opportunity to provide information       |          |               |              |                             |                              |

7. Communication & Visits

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7261 | visits   |          |               |              |                             |                              |
| 7262 | contact with attorneys or others regarding legal matters |          |               |              |                             |                              |
| 7263 | access to telephone, mail                                | 4        |               | 4            | 1                           |                              |
| 7264 | funds for postage, stationery, telephone usage           |          |               |              |                             |                              |
| 7265 | written and posted limitations, if established           |          |               |              |                             |                              |
| 7266 | uncensored mail  |          |               |              |                             |                              |

8. Confidentiality/Privileged Communications/Disclosure

| Code | Category  | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|---|----------|---------------|--------------|-----------------------------|------------------------------|
| 7481 | disclosure of confidential information                            |          |               |              |                             |                              |
| 7485 | withholding of information (includes recipient access to records) | 1        |               | 1            |                             |                              |
| 7486 | Correction of record  |          |               |              |                             |                              |
| 7487 | access by p & a to records  |          |               |              |                             |                              |
| 7501 | privileged communication  |          |               |              |                             |                              |

9. Treatment Environment

| Code | Category                    | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|-----------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7081 | safe environment            | 17       |               | 17           | 2                           |                              |
| 7082 | sanitary/humane environment | 8        |               | 8            | 2                           |                              |
| 7086 | least restrictive setting   |          |               |              |                             |                              |

10. Freedom of Movement

| Code | Category                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7441 | Restrictions/limitations | 26       |               | 26           |                             |                              |
| 7400 | restraint                |          |               |              |                             |                              |
| 7420 | seclusion                |          |               |              |                             |                              |

11. Financial Rights

| Code | Category                           | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|------------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7301 | safeguarding money                 |          |               |              |                             |                              |
| 7302 | facility account                   |          |               |              |                             |                              |
| 7303 | easy access to money in account    |          |               |              |                             |                              |
| 7304 | ability to spend or use as desired |          |               |              |                             |                              |
| 7305 | delivery of money upon release     |          |               |              |                             |                              |
| 7360 | labor & compensation               |          |               |              |                             |                              |

#### 12. Personal Property

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7267 | access to entertainment materials, information, news | 3        |               | 3            |                             |                              |
| 7281 | possession and use                                   |          |               |              |                             |                              |
| 7282 | storage space  |          |               |              |                             |                              |
| 7283 | inspection at reasonable times                       |          |               |              |                             |                              |
| 7285 | exclusions   |          |               |              |                             |                              |
| 7286 | limitations  | 1        |               | 1            |                             |                              |
| 7287 | receipts to recipient and to designated individual   |          |               |              |                             |                              |
| 7288 | waiver   | 1        |               | 1            |                             |                              |
| 7289 | protection   | 12       |               | 12           | 6                           |                              |

#### 13. Suitable Services

| Code | Category                                       | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 1708 | dignity and respect                            | 13       | 1             | 12           |                             | 1                            |
| 7003 | Informed consent                               | 1        |               | 1            |                             |                              |
| 7029 | information on family planning                 |          |               |              |                             |                              |
| 7049 | treatment by spiritual means                   |          |               |              |                             |                              |
| 7080 | mh services suited to condition                | 22       |               | 22           |                             |                              |
| 7100 | physical and mental exams                      |          |               |              |                             |                              |
| 7130 | choice of physician/mental health professional | 1        |               | 1            |                             |                              |
| 7140 | notice of clinical status/progress             |          |               |              |                             |                              |
| 7150 | services of mental health professional         |          |               |              |                             |                              |
| 7160 | surgery  |          |               |              |                             |                              |
| 7170 | electro convulsive therapy (ect)               |          |               |              |                             |                              |
| 7180 | psychotropic drugs                             | 2        |               | 2            |                             |                              |
| 7190 | notice of medication side effects              |          |               |              |                             |                              |

#### 14. Treatment Planning

| Code | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7121 | person-centered process                  |          |               |              |                             |                              |
| 7122 | timely development                       |          |               |              |                             |                              |
| 7123 | requests for review                      | 1        |               | 1            |                             |                              |
| 7124 | participation by individual(s) of choice |          |               |              |                             |                              |
| 7125 | assessment of needs                      | 1        |               | 1            |                             |                              |

#### 15. Photographs, Fingerprints, Audiotapes, One-way Glass

| Code | Category                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7241 | prior consent            |          |               |              |                             |                              |
| 7242 | identification           |          |               |              |                             |                              |
| 7243 | objection                |          |               |              |                             |                              |
| 7244 | release to others/return |          |               |              |                             |                              |

17. No Right Involved

| Code | Category          | Received |
|------|-------------------|----------|
| 0000 | no right involved | 3        |

insert the  
same number




18. Outside Provider Jurisdiction

| Code | Category                      | Received |
|------|-------------------------------|----------|
| 0001 | outside provider jurisdiction |          |

insert the  
same number




145

28

117

11

4

| Remedial Action Key |                    |     |   |    |   |
|---------------------|--------------------|-----|---|----|---|
| 01                  | Verbal Counseling  | 06  | Staff Transfer                              | 10 | Policy Revision/Development                 |
| 02                  | Written Counseling | 07  | Training                                    | 11 | Environmental Repair /Enhancement           |
| 03                  | Written Reprimand  | 08  | Employment Termination                      | 12 | Plan of Service Revision                    |
| 04                  | Suspension         | *08 | Employee left the agency, but substantiated | 13 | Recipient Transfer to Another Provider/Site |
| 05                  | Demotion           | 09  | Contract Action                             | 14 | Other                                       |

Remedial Action Taken for Hawthorn Center

| Code  | Category                             | Action Taken |
|-------|--------------------------------------|--------------|
| 72221 | abuse class II - nonaccidental act   | 04           |
| 72222 | abuse class II - unreasonable force  | 04           |
| 72222 | abuse class II - unreasonable force  | 04           |
| 1708  | dignity & respect                    | 03           |
| 7081  | safety-treatment environment         | 12           |
| 7081  | safety-treatment environment         | 14           |
| 7082  | sanitary/human-treatment environment | 11           |
| 7083  | humane-treatment environment         | 11           |
| 7263  | access to telephone                  | 14           |
| 7289  | protection                           | 14           |
| 7289  | protection                           | 14           |
| 7289  | protection                           | 14           |
| 7289  | protection                           | 14           |
| 7289  | protection                           | 14           |
| 7289  | protection                           | 14           |

**Agency: Kalamazoo Psychiatric Hospital**

**Rights Advisor: Lance Bettison**

**Section I: Complaint Data Summary:**

**Part A: Totals**

|                                 |            |
|---------------------------------|------------|
| <b>Allegations Involved</b>     | <b>180</b> |
| <b>Allegations Investigated</b> | <b>43</b>  |
| <b>Substantiated</b>            | <b>16</b>  |

## Part B: Aggregate Summary

### 1. Freedom from Abuse

| Code  | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|-------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 72210 | abuse class I                            | 1        | 1             |              |                             | 1                            |
| 72221 | abuse class II - nonaccidental act       | 10       | 10            |              |                             | 1                            |
| 72222 | abuse class II - unreasonable force      | 1        | 1             |              |                             | 1                            |
| 72223 | abuse class II - emotional harm          |          |               |              |                             |                              |
| 72224 | abuse class II - treating as incompetent |          |               |              |                             |                              |
| 72225 | abuse class II - exploitation            |          |               |              |                             |                              |
| 72230 | abuse class III                          | 4        | 4             |              |                             |                              |
| 72240 | abuse class I - sexual abuse             | 1        | 1             |              |                             |                              |

### 2. Freedom from Neglect

| Code  | Category                              | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|-------|---------------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 72251 | neglect class I                       | 3        | 3             |              |                             | 3                            |
| 72252 | neglect class I - failure to report   |          |               |              |                             |                              |
| 72261 | neglect class II                      | 5        | 5             |              |                             | 4                            |
| 72262 | neglect class II - failure to report  |          |               |              |                             |                              |
| 72271 | neglect class III                     | 3        | 3             |              |                             | 3                            |
| 72272 | neglect class III - failure to report | 1        | 1             |              |                             |                              |

### 3. Rights Protection System

| Code | Category                        | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|---------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7060 | Notice/explanation of rights    |          |               |              |                             |                              |
| 7520 | failure to report               |          |               |              |                             |                              |
| 7545 | retaliation/harassment          |          |               |              |                             |                              |
| 7760 | access to rights system         |          |               |              |                             |                              |
| 7780 | complaint investigation process |          |               |              |                             |                              |
| 7840 | appeal process/mediation        |          |               |              |                             |                              |

### 4. Admission/Discharge/Second Opinion

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 4090 | second opinion - denial of hospitalization       |          |               |              |                             |                              |
| 4190 | termination of voluntary hospitalization (adult) |          |               |              |                             |                              |
| 4510 | involuntary admission process                    | 3        | 1             | 2            |                             |                              |
| 4630 | independent clinical examination                 |          |               |              |                             |                              |
| 4980 | objection to hospitalization (minor)             | 1        |               | 1            |                             |                              |
| 7050 | second opinion - denial of services              |          |               |              |                             |                              |

#### 5. Civil Rights

| Code | Category  | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|---|----------|---------------|--------------|-----------------------------|------------------------------|
| 7041 | civil rights: discrimination, accessibility, accommodation, etc | 1        |               | 1            |                             |                              |
| 7044 | Religious practice  | 1        |               | 1            |                             |                              |
| 7045 | Voting  |          |               |              |                             |                              |
| 7047 | presumption of competency                                       | 1        |               | 1            |                             |                              |
| 7284 | search/seizure  |          |               |              |                             |                              |

#### 6. Family Rights

| Code | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7111 | family dignity & respect                 | 3        |               | 3            | 1                           |                              |
| 7112 | receipt of general education information |          |               |              |                             |                              |
| 7113 | opportunity to provide information       |          |               |              |                             |                              |

#### 7. Communication & Visits

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7261 | visits   |          |               |              |                             |                              |
| 7262 | contact with attorneys or others regarding legal matters |          |               |              |                             |                              |
| 7263 | access to telephone, mail                                |          |               |              |                             |                              |
| 7264 | funds for postage, stationery, telephone usage           |          |               |              |                             |                              |
| 7265 | written and posted limitations, if established           |          |               |              |                             |                              |
| 7266 | uncensored mail  | 1        | 1             |              |                             |                              |

#### 8. Confidentiality/Privileged Communications/Disclosure

| Code | Category  | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|---|----------|---------------|--------------|-----------------------------|------------------------------|
| 7481 | disclosure of confidential information                            | 2        |               | 2            |                             |                              |
| 7485 | withholding of information (includes recipient access to records) |          |               |              |                             |                              |
| 7486 | correction of record  |          |               |              |                             |                              |
| 7487 | access by p & a to records  |          |               |              |                             |                              |
| 7501 | privileged communication  |          |               |              |                             |                              |

#### 9. Treatment Environment

| Code | Category                    | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|-----------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7081 | safe environment            | 9        |               | 9            |                             |                              |
| 7082 | sanitary/humane environment | 14       |               | 14           |                             |                              |
| 7086 | least restrictive setting   |          |               |              |                             |                              |

#### 10. Freedom of Movement

| Code | Category                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7441 | restrictions/limitations | 3        |               | 3            |                             |                              |
| 7400 | restraint                | 2        | 1             | 1            | 1                           |                              |
| 7420 | seclusion                |          |               |              |                             |                              |

#### 11. Financial Rights

| Code | Category                           | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|------------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7301 | safeguarding money                 | 4        | 1             | 3            |                             |                              |
| 7302 | facility account                   |          |               |              |                             |                              |
| 7303 | easy access to money in account    |          |               |              |                             |                              |
| 7304 | Ability to spend or use as desired |          |               |              |                             |                              |
| 7305 | delivery of money upon release     |          |               |              |                             |                              |
| 7360 | labor & compensation               |          |               |              |                             |                              |

#### 12. Personal Property

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7267 | access to entertainment materials, information, news |          |               |              |                             |                              |
| 7281 | possession and use                                   | 2        |               | 2            |                             |                              |
| 7282 | storage space  |          |               |              |                             |                              |
| 7283 | inspection at reasonable times                       |          |               |              |                             |                              |
| 7285 | exclusions   |          |               |              |                             |                              |
| 7286 | limitations  | 1        |               | 1            |                             |                              |
| 7287 | receipts to recipient and to designated individual   |          |               |              |                             |                              |
| 7288 | waiver   |          |               |              |                             |                              |
| 7289 | protection   | 1        |               | 1            |                             |                              |

#### 13. Suitable Services

| Code | Category                                       | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 1708 | dignity and respect                            | 32       | 7             | 25           |                             |                              |
| 7003 | informed consent                               |          |               |              |                             |                              |
| 7029 | information on family planning                 |          |               |              |                             |                              |
| 7049 | treatment by spiritual means                   |          |               |              |                             |                              |
| 7080 | mh services suited to condition                | 9        | 3             | 6            |                             | 1                            |
| 7100 | physical and mental exams                      |          |               |              |                             |                              |
| 7130 | choice of physician/mental health professional | 2        |               | 2            |                             |                              |
| 7140 | notice of clinical status/progress             |          |               |              |                             |                              |
| 7150 | services of mental health professional         |          |               |              |                             |                              |
| 7160 | Surgery  |          |               |              |                             |                              |
| 7170 | electro convulsive therapy (ect)               |          |               |              |                             |                              |
| 7180 | Psychotropic drugs                             |          |               |              |                             |                              |
| 7190 | notice of medication side effects              | 2        |               | 2            |                             |                              |

#### 14. Treatment Planning

| Code | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7121 | person-centered process                  | 1        |               | 1            |                             |                              |
| 7122 | timely development                       |          |               |              |                             |                              |
| 7123 | requests for review                      |          |               |              |                             |                              |
| 7124 | participation by individual(s) of choice |          |               |              |                             |                              |
| 7125 | assessment of needs                      |          |               |              |                             |                              |



15. Photographs, Fingerprints, Audiotapes, One-way Glass

| Code | Category                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7241 | prior consent            |          |               |              |                             |                              |
| 7242 | identification           |          |               |              |                             |                              |
| 7243 | objection                |          |               |              |                             |                              |
| 7244 | release to others/return |          |               |              |                             |                              |
| 7245 | storage/destruction      | 1        |               | 1            |                             |                              |

17. No Right Involved

| Code | Category          | Received |
|------|-------------------|----------|
| 0000 | no right involved | 49       |

insert the same number

⇒ 49

18. Outside Provider Jurisdiction

| Code | Category                      | Received |
|------|-------------------------------|----------|
| 0001 | outside provider jurisdiction | 6        |

insert the same number

⇒ 6

180

43

137

2

14

**Remedial Action Key**

|    |                    |     |   |    |   |
|----|--------------------|-----|---|----|---|
| 01 | Verbal Counseling  | 06  | Staff Transfer                              | 10 | Policy Revision/Development                 |
| 02 | Written Counseling | 07  | Training                                    | 11 | Environmental Repair /Enhancement           |
| 03 | Written Reprimand  | 08  | Employment Termination                      | 12 | Plan of Service Revision                    |
| 04 | Suspension         | *08 | Employee left the agency, but substantiated | 13 | Recipient Transfer to Another Provider/Site |
| 05 | Demotion           | 09  | Contract Action                             | 14 | Other                                       |

**Remedial Action Taken for Kalamazoo Psychiatric Hospital**

| Code  | Category                            | Action Taken |
|-------|-------------------------------------|--------------|
| 72210 | abuse class I                       | *08          |
| 72221 | abuse class II - nonaccidental act  | 05           |
| 72222 | abuse class II - unreasonable force | *08          |
| 72251 | neglect class I                     | 08           |
| 72251 | neglect class I                     | *08          |
| 72251 | neglect class I                     | 08           |
| 72261 | neglect class II                    | *08          |
| 72261 | neglect class II                    | 04           |
| 72261 | neglect class II                    | 04           |
| 72261 | neglect class II                    | 03           |
| 72271 | neglect class III                   | 04           |
| 72271 | neglect class III                   | *08          |
| 72271 | neglect class III                   | *08          |
| 7080  | services suited to condition        | 12           |
| 7111  | family dignity and respect          | 07           |
| 7400  | restraint                           | 07           |

**Agency: Mt. Pleasant Center**

**Rights Advisors: Linda Dobbrastine and Janice Terry**

**Section I: Complaint Data Summary:**

**Part A: Totals**

|                                 |            |
|---------------------------------|------------|
| <b>Allegations Involved</b>     | <b>614</b> |
| <b>Allegations Investigated</b> | <b>123</b> |
| <b>Substantiated</b>            | <b>36</b>  |

**Part B: Aggregate Summary**

**1. Freedom from Abuse**

| <b>Code</b> | <b>Category</b>                          | <b>Received</b> | <b>Investigation</b> | <b>Intervention</b> | <b>Interventions Substantiated</b> | <b>Investigations Substantiated</b> |
|-------------|--|-----------------|----------------------|---------------------|------------------------------------|-------------------------------------|
| 72210       | abuse class I                            | 2               | 2                    |                     |                                    |                                     |
| 72221       | abuse class II - nonaccidental act       | 69              | 69                   |                     |                                    | 2                                   |
| 72222       | abuse class II - unreasonable force      | 3               | 3                    |                     |                                    | 1                                   |
| 72223       | abuse class II - emotional harm          |                 |                      |                     |                                    |                                     |
| 72224       | abuse class II - treating as incompetent |                 |                      |                     |                                    |                                     |
| 72225       | abuse class II - exploitation            | 1               | 1                    |                     |                                    | 1                                   |
| 72230       | abuse class III                          | 21              | 21                   |                     |                                    | 3                                   |
| 72240       | abuse class I - sexual abuse             | 1               | 1                    |                     |                                    |                                     |

**2. Freedom from Neglect**

| <b>Code</b> | <b>Category</b>                       | <b>Received</b> | <b>Investigation</b> | <b>Intervention</b> | <b>Interventions Substantiated</b> | <b>Investigations Substantiated</b> |
|-------------|---------------------------------------|-----------------|----------------------|---------------------|------------------------------------|-------------------------------------|
| 72251       | neglect class I                       | 3               | 3                    |                     |                                    |                                     |
| 72252       | neglect class I - failure to report   |                 |                      |                     |                                    |                                     |
| 72261       | neglect class II                      | 5               | 5                    |                     |                                    | 2                                   |
| 72262       | neglect class II - failure to report  | 2               | 2                    |                     |                                    |                                     |
| 72271       | neglect class III                     | 11              | 11                   |                     |                                    | 8                                   |
| 72272       | neglect class III - failure to report |                 |                      |                     |                                    |                                     |

**3. Rights Protection System**

| <b>Code</b> | <b>Category</b>                 | <b>Received</b> | <b>Investigation</b> | <b>Intervention</b> | <b>Interventions Substantiated</b> | <b>Investigations Substantiated</b> |
|-------------|---------------------------------|-----------------|----------------------|---------------------|------------------------------------|-------------------------------------|
| 7060        | notice/explanation of rights    |                 |                      |                     |                                    |                                     |
| 7520        | failure to report               |                 |                      |                     |                                    |                                     |
| 7545        | retaliation/harassment          |                 |                      |                     |                                    |                                     |
| 7760        | access to rights system         | 2               |                      | 2                   |                                    |                                     |
| 7780        | complaint investigation process | 2               |                      | 2                   |                                    |                                     |
| 7840        | appeal process/mediation        |                 |                      |                     |                                    |                                     |

#### 4. Admission/Discharge/Second Opinion

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 4090 | second opinion - denial of hospitalization       |          |               |              |                             |                              |
| 4190 | termination of voluntary hospitalization (adult) |          |               |              |                             |                              |
| 4510 | involuntary admission process                    | 18       |               | 18           |                             |                              |
| 4630 | independent clinical examination                 |          |               |              |                             |                              |
| 4980 | objection to hospitalization (minor)             |          |               |              |                             |                              |
| 7050 | second opinion - denial of services              |          |               |              |                             |                              |

#### 5. Civil Rights

| Code | Category  | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|---|----------|---------------|--------------|-----------------------------|------------------------------|
| 7041 | civil rights: discrimination, accessibility, accommodation, etc | 1        |               | 1            |                             |                              |
| 7044 | religious practice  |          |               |              |                             |                              |
| 7045 | voting  |          |               |              |                             |                              |
| 7047 | presumption of competency                                       |          |               |              |                             |                              |
| 7284 | search/seizure  | 2        |               | 2            |                             | 1                            |

#### 6. Family Rights

| Code | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7111 | family dignity & respect                 |          |               |              |                             | 1                            |
| 7112 | receipt of general education information |          |               |              |                             |                              |
| 7113 | opportunity to provide information       |          |               |              |                             |                              |

#### 7. Communication & Visits

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7261 | visits   |          |               |              |                             |                              |
| 7262 | contact with attorneys or others regarding legal matters |          |               |              |                             |                              |
| 7263 | access to telephone, mail                                | 14       |               | 14           |                             |                              |
| 7264 | funds for postage, stationery, telephone usage           |          |               |              |                             |                              |
| 7265 | written and posted limitations, if established           |          |               |              |                             |                              |
| 7266 | uncensored mail  |          |               |              |                             |                              |

#### 8. Confidentiality/Privileged Communications/Disclosure

| Code | Category  | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|---|----------|---------------|--------------|-----------------------------|------------------------------|
| 7481 | disclosure of confidential information                            | 2        |               | 2            |                             |                              |
| 7485 | withholding of information (includes recipient access to records) | 1        |               | 1            |                             |                              |
| 7486 | correction of record  |          |               |              |                             |                              |
| 7487 | access by p & a to records  |          |               |              |                             |                              |
| 7501 | privileged communication  |          |               |              |                             |                              |

#### 9. Treatment Environment

| Code | Category                    | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|-----------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7081 | safe environment            | 75       |               | 75           |                             |                              |
| 7082 | sanitary/humane environment | 104      |               | 102          | 2                           |                              |
| 7086 | least restrictive setting   | 22       |               | 22           |                             |                              |

#### 10. Freedom of Movement

| Code | Category                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7441 | restrictions/limitations | 8        |               | 8            |                             |                              |
| 7400 | restraint                | 4        | 1             | 5            | 1                           | 1                            |
| 7420 | seclusion                |          |               |              |                             |                              |

#### 11. Financial Rights

| Code | Category                           | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|------------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7301 | safeguarding money                 | 3        |               | 3            |                             |                              |
| 7302 | facility account                   | 2        |               | 2            |                             |                              |
| 7303 | easy access to money in account    | 1        |               | 1            |                             |                              |
| 7304 | ability to spend or use as desired | 7        |               | 7            |                             |                              |
| 7305 | delivery of money upon release     |          |               |              |                             |                              |
| 7360 | labor & compensation               |          |               |              |                             |                              |

#### 12. Personal Property

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7267 | access to entertainment materials, information, news | 8        |               | 8            | 1                           |                              |
| 7281 | possession and use                                   | 26       |               | 26           | 1                           |                              |
| 7282 | storage space  | 1        |               | 1            |                             |                              |
| 7283 | inspection at reasonable times                       |          |               |              |                             |                              |
| 7285 | exclusions   | 1        |               | 1            |                             |                              |
| 7286 | limitations  | 8        |               | 8            |                             |                              |
| 7287 | receipts to recipient and to designated individual   |          |               |              |                             |                              |
| 7288 | waiver   |          |               |              |                             |                              |
| 7289 | Protection   | 24       |               | 24           | 2                           |                              |

#### 13. Suitable Services

| Code | Category                                       | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 1708 | dignity and respect                            | 22       | 1             | 21           | 3                           |                              |
| 7003 | informed consent                               |          |               |              |                             |                              |
| 7029 | information on family planning                 |          |               |              |                             |                              |
| 7049 | treatment by spiritual means                   |          |               |              |                             |                              |
| 7080 | mh services suited to condition                | 103      | 3             |              | 4                           | 1                            |
| 7100 | physical and mental exams                      |          |               |              |                             |                              |
| 7130 | choice of physician/mental health professional |          |               |              |                             |                              |
| 7140 | notice of clinical status/progress             |          |               |              |                             |                              |
| 7150 | services of mental health professional         |          |               |              |                             |                              |
| 7160 | surgery  |          |               |              |                             |                              |
| 7170 | electro convulsive therapy (ect)               |          |               |              |                             |                              |

| Code | Category                          | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|-----------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7180 | psychotropic drugs                |          |               |              |                             |                              |
| 7190 | notice of medication side effects |          |               |              |                             |                              |

#### 14. Treatment Planning

| Code | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7121 | person-centered process                  | 5        |               | 5            |                             |                              |
| 7122 | timely development                       |          |               |              |                             |                              |
| 7123 | requests for review                      |          |               |              |                             |                              |
| 7124 | participation by individual(s) of choice |          |               |              |                             |                              |
| 7125 | assessment of needs                      | 2        |               | 2            | 1                           |                              |

#### 15. Photographs, Fingerprints, Audiotapes, One-way Glass

| Code | Category                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7241 | prior consent            |          |               |              |                             |                              |
| 7242 | Identification           |          |               |              |                             |                              |
| 7243 | Objection                |          |               |              |                             |                              |
| 7244 | release to others/return |          |               |              |                             |                              |
| 7245 | storage/destruction      |          |               |              |                             |                              |

#### 17. No Right Involved

| Code | Category          | Received |
|------|-------------------|----------|
| 0000 | no right involved | 21       |

insert the same number



21

#### 18. Outside Provider Jurisdiction

| Code | Category                      | Received |
|------|-------------------------------|----------|
| 0001 | outside provider jurisdiction | 7        |

insert the same number



7

614

123

391

15

21

| Remedial Action Key |                    |     |   |    |   |
|---------------------|--------------------|-----|---|----|---|
| 01                  | Verbal Counseling  | 06  | Staff Transfer                              | 10 | Policy Revision/Development                 |
| 02                  | Written Counseling | 07  | Training                                    | 11 | Environmental Repair /Enhancement           |
| 03                  | Written Reprimand  | 08  | Employment Termination                      | 12 | Plan of Service Revision                    |
| 04                  | Suspension         | *08 | Employee left the agency, but substantiated | 13 | Recipient Transfer to Another Provider/Site |
| 05                  | Demotion           | 09  | Contract Action                             | 14 | Other                                       |

#### Remedial Action Taken for Mt. Pleasant Center

| Code  | Category                            | Action Taken |
|-------|-------------------------------------|--------------|
| 72221 | abuse class II - nonaccidental act  | 08           |
| 72221 | abuse class II - nonaccidental act  | 08           |
| 72222 | abuse class II - unreasonable force | 08           |
| 72225 | abuse class ii - exploitation       | 08           |
| 72230 | abuse class III                     | 08           |
| 72230 | abuse class III                     | 08           |
| 72230 | abuse class III                     | *08          |
| 72261 | neglect class II                    | 08           |

| Code  | Category                                  | Action Taken |
|-------|---|--------------|
| 72261 | neglect class II                          | 08           |
| 72271 | neglect class III                         | 04           |
| 72271 | neglect class III                         | 04           |
| 72271 | neglect class III                         | 04           |
| 72271 | neglect class III                         | 08           |
| 72271 | neglect class III                         | 08           |
| 72271 | neglect class III                         | 04           |
| 72271 | neglect class III                         | 04           |
| 72271 | neglect class III                         | 04           |
| 1708  | dignity & respect                         | 07           |
| 1708  | dignity & respect                         | 07           |
| 1708  | dignity & respect                         | 12           |
| 7080  | services suited to condition              | 03           |
| 7080  | services suited to condition              | NONE         |
| 7080  | services suited to condition              | 07           |
| 7080  | services suited to condition              | 03           |
| 7080  | services suited to condition              | 07           |
| 7081  | safety-treatment environment              | 12           |
| 7081  | safety-treatment environment              | 10           |
| 7081  | safety-treatment environment              | 14           |
| 7082  | sanitary/human-treatment environment      | 12           |
| 7082  | sanitary/human-treatment environment      | 12           |
| 7125  | assessment of needs                       | 14           |
| 7267  | access to enter., materials, infor., news | 01           |
| 7281  | possession/use                            | 07           |
| 7284  | search/seizure                            | 07           |
| 7289  | Protection                                | 14           |
| 7289  | Protection                                | 14           |
| 7400  | Restraint                                 | 07           |
| 7400  | Restraint                                 | 07           |

**Agency: Walter Reuther Psychiatric Hospital**

**Rights Advisors: Patricia Jolly and David Scott**

**Section I: *Complaint Data Summary:***

**Part A: Totals**

|                                 |            |
|---------------------------------|------------|
| <b>Allegations Involved</b>     | <b>424</b> |
| <b>Allegations Investigated</b> | <b>71</b>  |
| <b>Substantiated</b>            | <b>34</b>  |

## Part B: Aggregate Summary

### 1. Freedom from Abuse

| Code  | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|-------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 72210 | abuse class I                            |          |               |              |                             |                              |
| 72221 | abuse class II - nonaccidental act       | 29       | 29            |              |                             | 3                            |
| 72222 | abuse class II - unreasonable force      |          |               |              |                             |                              |
| 72223 | abuse class II - emotional harm          |          |               |              |                             |                              |
| 72224 | abuse class II - treating as incompetent |          |               |              |                             |                              |
| 72225 | abuse class II - exploitation            |          |               |              |                             |                              |
| 72230 | abuse class III                          | 9        | 9             |              |                             | 1                            |
| 72240 | abuse class I - sexual abuse             | 7        | 7             |              |                             |                              |

### 2. Freedom from Neglect

| Code  | Category                              | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|-------|---------------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 72251 | neglect class I                       |          |               |              |                             |                              |
| 72252 | neglect class I - failure to report   |          |               |              |                             |                              |
| 72261 | neglect class II                      | 1        | 1             |              |                             |                              |
| 72262 | neglect class II - failure to report  | 1        | 1             |              |                             | 1                            |
| 72271 | neglect class III                     | 6        | 6             |              |                             | 6                            |
| 72272 | neglect class III - failure to report | 5        | 5             |              |                             | 5                            |

### 3. Rights Protection System

| Code | Category                        | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|---------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7060 | notice/explanation of rights    |          |               |              |                             |                              |
| 7520 | failure to report               |          |               |              |                             |                              |
| 7545 | retaliation/harassment          |          |               |              |                             |                              |
| 7760 | access to rights system         |          |               |              |                             |                              |
| 7780 | complaint investigation process |          |               |              |                             |                              |
| 7840 | appeal process/mediation        |          |               |              |                             |                              |

### 4. Admission/Discharge/Second Opinion

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 4090 | second opinion - denial of hospitalization       |          |               |              |                             |                              |
| 4190 | termination of voluntary hospitalization (adult) |          |               |              |                             |                              |
| 4510 | involuntary admission process                    | 14       |               | 14           |                             |                              |
| 4630 | independent clinical examination                 |          |               |              |                             |                              |
| 4980 | objection to hospitalization (minor)             |          |               |              |                             |                              |
| 7050 | second opinion - denial of services              |          |               |              |                             |                              |

#### 5. Civil Rights

| Code | Category  | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|---|----------|---------------|--------------|-----------------------------|------------------------------|
| 7041 | civil rights: discrimination, accessibility, accommodation, etc |          |               |              |                             |                              |
| 7044 | religious practice  | 1        |               | 1            |                             |                              |
| 7045 | voting  |          |               |              |                             |                              |
| 7047 | presumption of competency                                       |          |               |              |                             |                              |
| 7284 | search/seizure  | 4        |               | 4            |                             |                              |

#### 6. Family Rights

| Code | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7111 | family dignity & respect                 |          |               |              |                             |                              |
| 7112 | receipt of general education information |          |               |              |                             |                              |
| 7113 | opportunity to provide information       |          |               |              |                             |                              |

#### 7. Communication & Visits

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7261 | visits   |          |               |              |                             |                              |
| 7262 | contact with attorneys or others regarding legal matters |          |               |              |                             |                              |
| 7263 | access to telephone, mail                                | 9        |               | 9            |                             |                              |
| 7264 | funds for postage, stationery, telephone usage           |          |               |              |                             |                              |
| 7265 | written and posted limitations, if established           |          |               |              |                             |                              |
| 7266 | uncensored mail  |          |               |              |                             |                              |

#### 8. Confidentiality/Privileged Communications/Disclosure

| Code | Category  | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|---|----------|---------------|--------------|-----------------------------|------------------------------|
| 7481 | disclosure of confidential information                            | 2        | 1             | 1            |                             |                              |
| 7485 | withholding of information (includes recipient access to records) | 1        |               | 1            |                             |                              |
| 7486 | correction of record  |          |               |              |                             |                              |
| 7487 | access by p & a to records  |          |               |              |                             |                              |
| 7501 | privileged communication  |          |               |              |                             |                              |

#### 9. Treatment Environment

| Code | Category                    | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|-----------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7081 | safe environment            | 64       | 6             | 58           | 5                           | 1                            |
| 7082 | sanitary/humane environment | 21       |               | 21           |                             |                              |
| 7086 | least restrictive setting   |          |               |              |                             |                              |

#### 10. Freedom of Movement

| Code | Category                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7441 | restrictions/limitations | 32       |               | 32           |                             |                              |
| 7400 | restraint                | 1        |               |              |                             |                              |
| 7420 | seclusion                |          |               | 1            |                             |                              |



#### 11. Financial Rights

| Code | Category                           | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|------------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7301 | safeguarding money                 | 2        |               | 2            |                             |                              |
| 7302 | facility account                   | 10       |               | 10           |                             |                              |
| 7303 | easy access to money in account    |          |               |              | 1                           |                              |
| 7304 | ability to spend or use as desired |          |               |              |                             |                              |
| 7305 | delivery of money upon release     |          |               |              |                             |                              |
| 7360 | labor & compensation               |          |               |              |                             |                              |

#### 12. Personal Property

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7267 | access to entertainment materials, information, news | 2        |               | 2            |                             |                              |
| 7281 | possession and use                                   | 12       |               | 12           |                             |                              |
| 7282 | storage space  |          |               |              |                             |                              |
| 7283 | inspection at reasonable times                       |          |               |              |                             |                              |
| 7285 | exclusions   |          |               |              |                             |                              |
| 7286 | limitations  |          |               |              |                             |                              |
| 7287 | receipts to recipient and to designated individual   |          |               |              |                             |                              |
| 7288 | waiver   |          |               |              |                             |                              |
| 7289 | protection   | 25       |               | 25           | 4                           |                              |

#### 13. Suitable Services

| Code | Category                                       | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 1708 | dignity and respect                            | 27       | 3             | 24           |                             | 2                            |
| 7003 | informed consent                               |          |               |              |                             |                              |
| 7029 | information on family planning                 |          |               |              |                             |                              |
| 7049 | treatment by spiritual means                   |          |               |              |                             |                              |
| 7080 | mh services suited to condition                | 97       | 2             | 95           | 3                           | 1                            |
| 7100 | physical and mental exams                      |          |               |              |                             |                              |
| 7130 | choice of physician/mental health professional | 2        |               | 2            |                             |                              |
| 7140 | notice of clinical status/progress             |          |               |              |                             |                              |
| 7150 | services of mental health professional         |          |               |              |                             |                              |
| 7160 | surgery  |          |               |              |                             |                              |
| 7170 | electro convulsive therapy (ect)               |          |               |              |                             |                              |
| 7180 | psychotropic drugs                             | 17       |               | 17           |                             |                              |
| 7190 | notice of medication side effects              | 1        |               | 1            |                             |                              |

#### 14. Treatment Planning

| Code | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|
| 7121 | person-centered process                  | 5        | 1             | 4            |                             | 1                            |
| 7122 | timely development                       |          |               |              |                             |                              |
| 7123 | requests for review                      |          |               |              |                             |                              |
| 7124 | participation by individual(s) of choice |          |               |              |                             |                              |
| 7125 | assessment of needs                      | 1        |               | 1            |                             |                              |

15. Photographs, Fingerprints, Audiotapes, One-way Glass

| Code | Category                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated |
|------|--------------------------|----------|---------------|--------------|-----------------------------|------------------------------|
| 7241 | prior consent            |          |               |              |                             |                              |
| 7242 | identification           |          |               |              |                             |                              |
| 7243 | objection                |          |               |              |                             |                              |
| 7244 | release to others/return |          |               |              |                             |                              |
| 7245 | storage/destruction      |          |               |              |                             |                              |

17. No Right Involved

| Code | Category          | Received |
|------|-------------------|----------|
| 0000 | no right involved | 9        |

insert the same number



9

18. Outside Provider Jurisdiction

| Code | Category                      | Received |
|------|-------------------------------|----------|
| 0001 | outside provider jurisdiction | 7        |

insert the same number



7

424

71

353

13

21

| Remedial Action Key |                    |     |   |    |   |
|---------------------|--------------------|-----|---|----|---|
| 01                  | Verbal Counseling  | 06  | Staff Transfer                              | 10 | Policy Revision/Development                 |
| 02                  | Written Counseling | 07  | Training                                    | 11 | Environmental Repair /Enhancement           |
| 03                  | Written Reprimand  | 08  | Employment Termination                      | 12 | Plan of Service Revision                    |
| 04                  | Suspension         | *08 | Employee left the agency, but substantiated | 13 | Recipient Transfer to Another Provider/Site |
| 05                  | Demotion           | 09  | Contract Action                             | 14 | Other                                       |

Remedial Action Taken for Walter Reuther Psychiatric Hospital

| Code  | Category                              | Action Taken |
|-------|---------------------------------------|--------------|
| 72221 | abuse class II - non-accidental act   | 04           |
| 72221 | abuse class II - non-accidental act   | 08           |
| 72221 | abuse class II - non-accidental act   | 08           |
| 72230 | abuse class III                       | 08           |
| 72271 | neglect class III                     | 04           |
| 72271 | neglect class III                     | 03           |
| 72271 | neglect class III                     | 04           |
| 72271 | neglect class III                     | 03           |
| 72271 | neglect class III                     | 04           |
| 72271 | neglect class III                     | 04           |
| 72272 | neglect class III – failure to report | 04           |
| 72272 | neglect class III – failure to report | 03           |
| 72272 | neglect class III – failure to report | 03           |
| 72272 | neglect class III – failure to report | 04           |
| 72272 | neglect class III – failure to report | 03           |
| 72272 | neglect class II – failure to report  | 04           |
| 1708  | dignity & respect                     | 07           |
| 1708  | dignity & respect                     | 03           |
| 1708  | dignity & respect                     | 02           |
| 7080  | services suited to condition          | 14           |

| Code | Category                     | Action Taken |
|------|------------------------------|--------------|
| 7080 | services suited to condition | 12           |
| 7080 | services suited to condition | 12           |
| 7080 | services suited to condition | 04           |
| 7080 | services suited to condition | 14           |
| 7081 | safety-treatment environment | 13           |
| 7081 | safety-treatment environment | 13           |
| 7081 | safety-treatment environment | 12           |
| 7081 | safety-treatment environment | 13           |
| 7081 | safety-treatment environment | 14           |
| 7081 | safety-treatment environment | 13           |
| 7121 | person-centered process      | 07           |
| 7289 | protection                   | 14           |
| 7289 | protection                   | 14           |
| 7289 | protection                   | 14           |
| 7289 | protection                   | 14           |
| 7302 | facility account             | 14           |

## Rights Trainings Provided by Field Unit Staff to Consumers

The Office of Recipient Rights supports education of consumers in addition to staff. ORR staff at DCH operated hospitals and centers carried out a variety of informational sessions when they, or consumers, identified issues of concern. A summary of these trainings is provided in the chart below:

| <b>Hospital/Center</b>              | <b>Number of Training Hours Provided</b> |
|-------------------------------------|--|
| Caro Center                         | 11                                       |
| Center for Forensic Psychiatry      | 7.5                                      |
| Hawthorn Center                     | 17.5                                     |
| Kalamazoo Psychiatric Hospital      | 4.5                                      |
| Mt. Pleasant Center                 | 11                                       |
| Walter Reuther Psychiatric Hospital | 11                                       |
| <b>Total</b>                        | <b>62.5</b>                              |

## Rights Training Provided by Field Unit Staff at DCH Facilities

The Mental Health Code requires that all DCH staff receive training related to recipient rights protection within 30 days of hire. At each of the state psychiatric hospitals, centers for persons with developmental disabilities, and the Center for Psychiatry, the rights staff assigned to the facility are carrying out this mandate, using 3 hour training curricula developed by the Field Unit in conjunction with the Training Unit. Field staff also provide Update Training as requested or required by the facilities. The following summarizes the trainings provided at each facility.

| <b>Hospital/Center</b>              | <b>ORR Training</b> | <b>ORR Update Training</b> |
|-------------------------------------|---------------------|----------------------------|
| Caro Center                         | 6                   | 4                          |
| Center for Forensic Psychiatry      | 5                   | 13                         |
| Hawthorn Center                     | 19                  | 2                          |
| Kalamazoo Psychiatric Hospital      | 4                   | 5                          |
| Mt. Pleasant Center                 | 5                   | 7                          |
| Walter Reuther Psychiatric Hospital | 1                   | 7                          |
| MDCH- Central Office                | 0                   | 0                          |
| <b>Total</b>                        | <b>40</b>           | <b>38</b>                  |

# DCH RECIPIENT RIGHTS APPEALS COMMITTEE

## **Background**

The Michigan Mental Health Code at Section 774 states, “The director shall appoint an appeals committee consisting of 7 individuals, none of whom shall be employed by the department or a community mental health services program, to hear appeals of recipient rights matters. The committee shall include at least 3 members of the state recipient rights advisory committee and 2 primary consumers.” The DCH Appeals Committee reviews appeals of rights complaints filed by or on behalf of patients/residents of state hospitals/centers. Additionally, it reviews appeals submitted by or on behalf of individuals who are or have been patients in one of the 46 licensed private psychiatric hospitals/units (LPH/U) who have entered into an agreement to use the department’s appeals committee in lieu of appointing its own.

Following is a data summary of activity for the DCH Appeals Committee for FY 2007/2008:

### **Total By Number of Appeal Requests** 11

#### **Acknowledgement**

#### **Total received that were not heard** 1

Request filed > 45 day time frame 1

Request stating no ground for appeal

Request misfiled/referred back to local CMHSP/LPH

### **Total Number Appeals Heard from State Hospitals/Centers** 4

Caro Center 3

Walter Reuther 1

### **Total Number Appeals Heard from LPH/Us** 6

Foote Memorial 2

Holland Hospital 1

Marquette General 1

Memorial Medical Center of Mid-Michigan 1

William Beaumont 1

### **Appeals Committee Decision on Appeals Heard** 10

Upheld findings of rights office and action taken 4

Returned to ORR for re-investigation 4

Returned to facility for different or additional action 2

## **Progress on DCH-ORR Field Unit Goals and Objectives for FY 2007 - 2008**

**GOAL I:**     To assure a uniformly high standard in the protection of the rights of recipients.

Objective A: To complete 90% of Reports of Investigative Findings (RIFs) within 75 days of receipt of complaints.

1. All staff will be sent weekly open case reports to identify timelines and due dates.
2. A monthly report will be sent to the unit supervisor to monitor RIF timelines and progress towards the objective.

### **PROGRESS TOWARDS OBJECTIVE A:**

For the period of 10/01/07 to 9/30/08 Reports of Investigative findings were completed within 75 days of receipt 61% of the time across all facilities. 69% of Reports of Investigative Findings were completed with 60 days of receipt and 88% were completed within the statutorily required 90 days. This objective has not been met and will continue for FY 2008-2009.

**GOAL II:**     To empower recipients to fully exercise their rights.

Objective A: To implement policy and procedures for improvement in person-centered planning (PCP) at DCH operated hospitals and centers.

1. Continue participation by Field Unit staff in the PCP Workgroup charged with creating a uniform policy for using PCP in the development of the Individual Plan of Service for those persons receiving services at a DCH operated hospital or center. This workgroup has also been charged with creating a uniform PCP training curriculum.
2. Develop a training curriculum for recipients to increase their knowledge of PCP and IPOS development.
3. The Field Unit will meet quarterly to discuss staff and consumer training opportunities identified and process changes that may be needed.

### **PROGRESS TOWARDS OBJECTIVE A:**

The workgroup has completed a policy for the development of the Individual Plan of Service (IPOS) and has begun working on a IPOS template to be used at all state operated hospitals and centers, excluding Mt. Pleasant Center, which will incorporate the principles of wellness and recovery. The workgroup will continue to meet to finish the IPOS template, as well as address training of staff once the policy and attached form have been completed and approved by the Director of the Department of Community Health. This goal has not been met and will continue for FY 2008–2009.

## **DCH-ORR Field Unit Goals and Objectives for FY 2008 - 2009**

**GOAL I:**     To assure a uniformly high standard in the protection of the rights of recipients.

Objective A: To complete 90% of Reports of Investigative Findings (RIFs) within 75 days of receipt of complaints.

1.     All staff will be sent weekly open case reports to identify timelines and due dates.
2.     A quarterly report will be sent to the unit supervisor to monitor RIF timelines and progress towards the objective.

**GOAL II:**     To empower recipients to fully exercise their rights.

Objective A: To implement policy and procedures for improvement in person-centered planning (PCP) at DCH operated hospitals and centers.

1.     Continue participation by Field Unit staff in the PCP Workgroup charged with creating a uniform policy for using PCP in the development of the Individual Plan of Service for those persons receiving services at a DCH operated hospital or center. This workgroup has also been charged with creating a uniform PCP training curriculum.
2.     Develop a training curriculum for recipients to increase their knowledge of PCP and IPOS development.
3.     The Field Unit will meet quarterly to discuss staff and consumer training opportunities identified and process changes that may be needed.

## **PART III – TRAINING UNIT**

### **Overview**

The ORR Training Unit develops and presents instructional programs with the goal of providing consistent implementation of recipient rights protection processes across the state.

In order to carry out this mission, the Unit provides training to rights staff from DCH facility rights offices, licensed private hospital/units (LPH/U), community mental health service providers (CMHSP) and their contract agencies. These classes focus on providing the skills necessary to assure that the rights of recipients in their jurisdiction will be fully protected. In addition, the Unit offers educational programs for persons, other than rights staff, who are involved in the recipient rights arena (Recipient Rights Advisory Committee, Recipient Rights Appeals Committee members, staff from other state and advocacy agencies, staff of service providers, etc.) and whose roles, although ancillary in nature, are essential to preserving and promoting the rights of recipients.

The Director of the Training Unit, in collaboration with a steering committee composed of representatives of state and local rights offices has responsibility for planning and implementing the annual Recipient Rights Conference. This event brings together staff and recipients from across the state to discuss current issues related to recipient rights and provides an opportunity for rights staff to fulfill their statutorily mandated annual training requirements in a forum which will their enhance job performance.

Another function of the Training Unit is to coordinate the education provided by DCH-ORR staff in hospital and centers operated by the Department of Community Health. These trainings are focused on (1) meeting the mandate that all staff hired by the Department will receive training on recipient rights within the first thirty (30) days of hire, and (2) adhering to the policy requirement that hospital and center staff are provided annual in-service training. Education of consumers receiving services in DCH operated facilities on Mental Health Code protected rights is also a function of the DCH-ORR staff; the Training Unit provides oversight in this area, as well.

### **Educational Offerings**

The Michigan Mental Health Code, at Section 774 states, “Technical assistance and training in recipient rights protection are available to all community mental health services programs and other mental health service providers subject to this act.” Several training opportunities were offered in FY 2008. “*Basic Skills*,” is the initial comprehensive, training program for recipient rights staff. In FY08 it’s format was revised to a two-part, 36 hour program that provides the education and skill development required to carry out the responsibilities mandated in Chapters 7 and 7A of the Mental Health Code.

Basic Skills, Part I, focuses on the legal basis for rights, the role of the rights office, its interaction with other segments of the agency, outside entities, and consumers, a detailed analysis of the Mental Health Code, and development of training skills to assist in carrying out the education component of the position. In FY 08, Basic Skills, Part II was expanded to 3 days and concentrates on the skills necessary to do a thorough and effective investigation and write the reports required by the Code, and provide an understanding of the appeals process.



In FY08, the Training Unit began an additional offering a new course called *Building Blocks*, which revisits some of the key components of the report writing process. Other offerings include *Recipient Rights Advisory Committee* training, which provides the information necessary for committee members to function effectively and carry out their mandated role as advocates for the ORR office and staff, and *Appeals Committee* training which takes committee members through the appeals process and provides the tools necessary to conduct a fair and impartial appellate review.

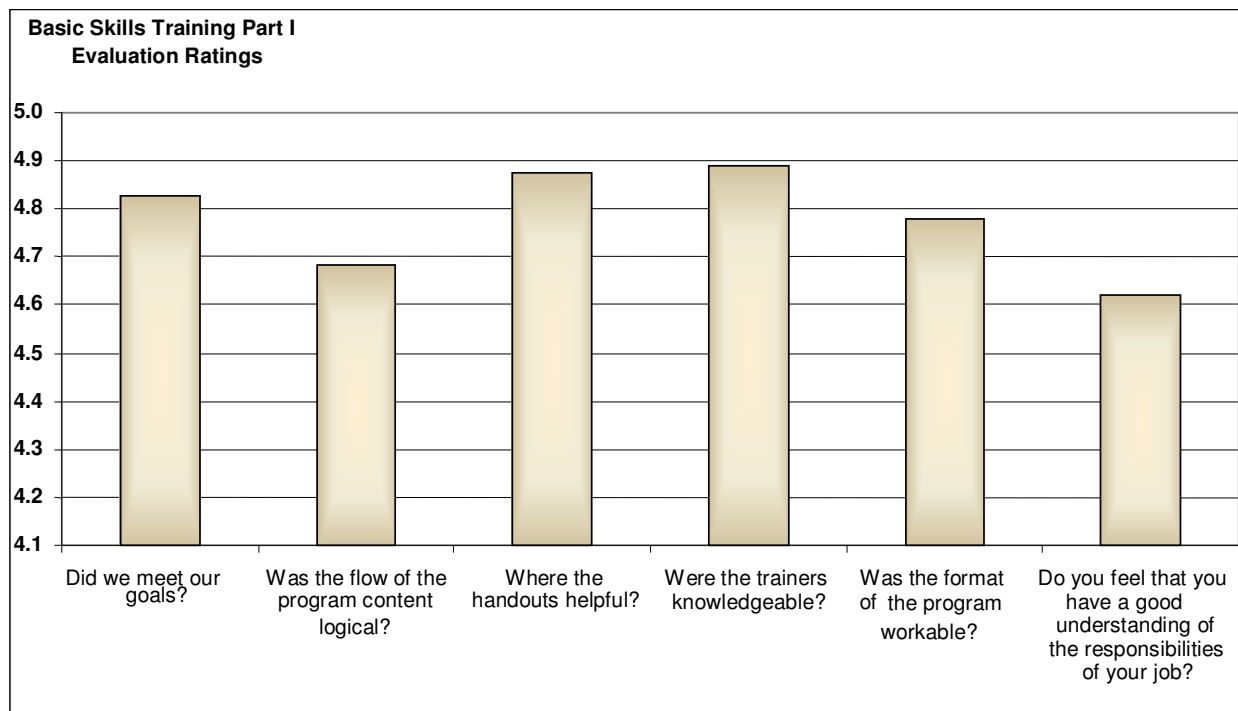
The following summarizes the sessions, and program attendance, offered during FY 2008:

| Title of Course:                     | Date Conducted:  | Attendees: |
|--------------------------------------|------------------|------------|
| Basic Skills Training, Part I        | January – 2008   | 23         |
| Basic Skills Training, Part I        | March – 2008     | 15         |
| Basic Skills Training, Part I        | May – 2008       | 12         |
| Basic Skills Training, Part I        | July – 2008      | 19         |
| Basic Skills Training, Part I        | September – 2008 | 5          |
| Total:                               |                  | 74         |
|                                      |                  |            |
| Basic Skills Training, Part II       | January – 2008   | 17         |
| Basic Skills Training, Part II       | March – 2008     | 14         |
| Basic Skills Training, Part II       | June – 2008      | 14         |
| Basic Skills Training, Part II       | August – 2008    | 20         |
| Total:                               |                  | 65         |
|                                      |                  |            |
| Developing Effective Rights Training | October - 2007   | 12         |
| Total:                               |                  | 12         |
|                                      |                  |            |
| Recipient Rights Advisory Committee  | December - 2007  | 9          |
| Recipient Rights Advisory Committee  | January –2008    | 20         |
|                                      |                  |            |
| Total:                               |                  | 42         |
|                                      |                  |            |
| Grand Total:                         |                  | <b>180</b> |

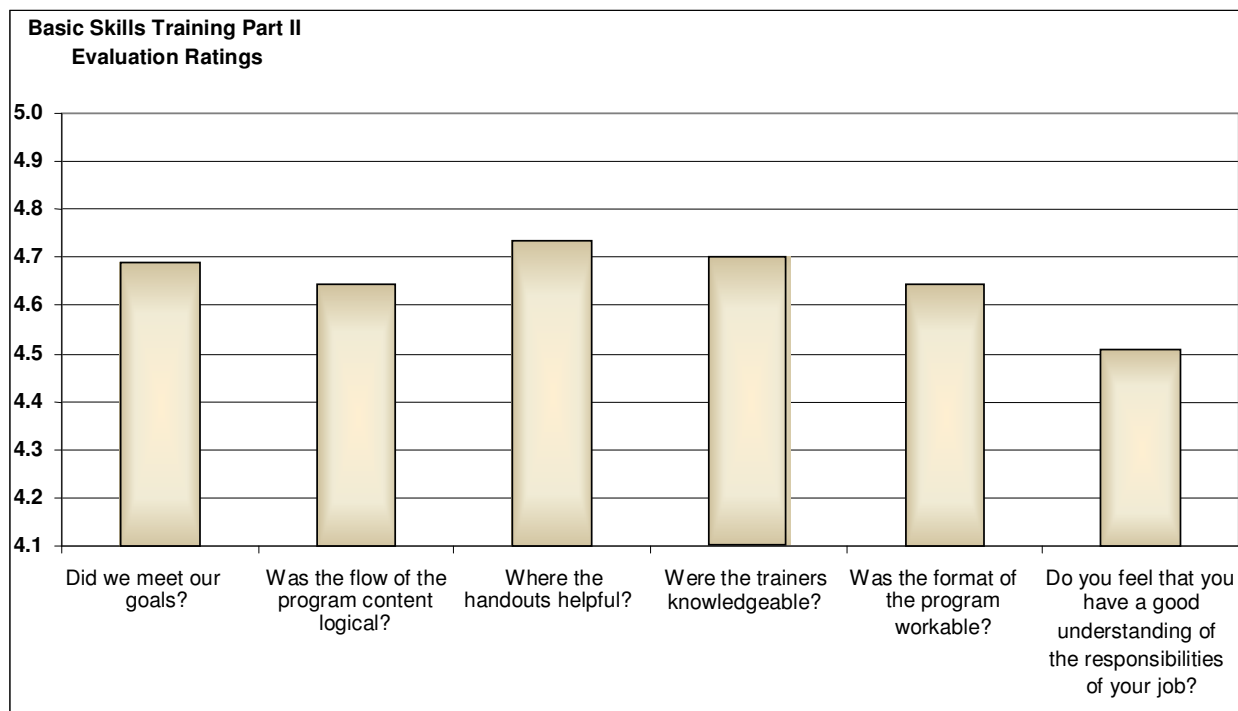
## Evaluations

Following each training session, the Training Unit received evaluations of the training presented. Following are compilations of the evaluation data for FY 08. The evaluation is based on a scale of 1 to 5, with 5 being “excellent,” and 1 being “poor.” The program objectives were added to the evaluations for each session this year. 100 % of the attendees indicated that programs met the objectives indicated.

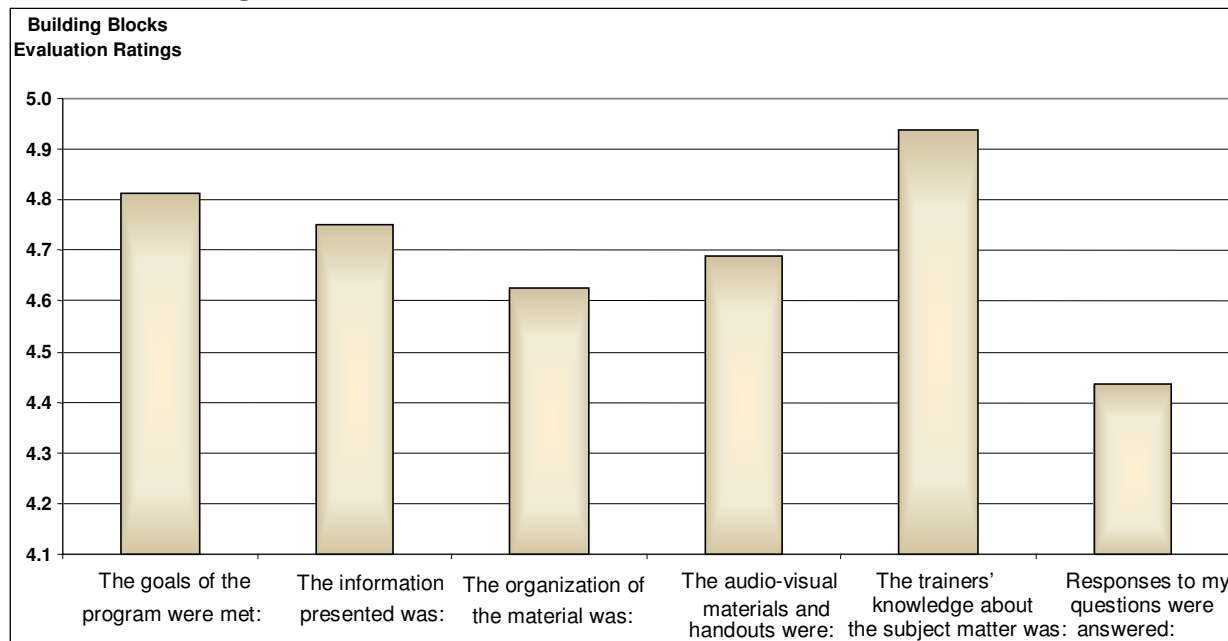
**Basic Skills Training Part I**  
**Evaluation Ratings**



**Basic Skills Training Part II**  
**Evaluation Ratings**



## Building Blocks Evaluation Ratings



## Training Received by Staff of the State Office of Recipient Rights

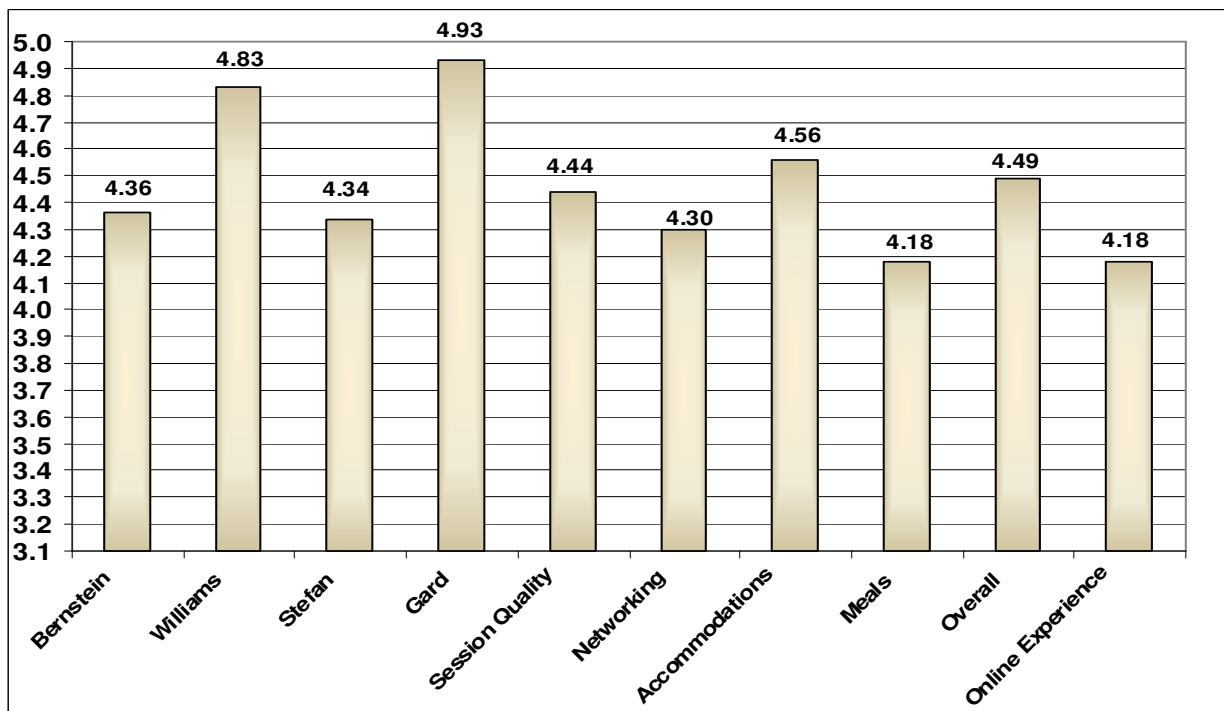
Staff of the Office of Recipient Rights are required to receive education in rights protection on an annual basis. Training opportunities for Department staff include, but are not limited to, the Annual Recipient Rights Conference, held each October, quarterly meetings of the Recipient Rights Officers Association of Michigan, which frequently include educational offerings, Building Blocks of Report Writing, and the two-part, 39 clock hours of Basic Skills Program, which staff are encouraged to repeat, if major revisions occur.

## 2007 Recipient Rights Conference: The Spirit of Rights

The mission of the Conference is to: 1) offer educational opportunities for rights staff to comply with the training requirements as mandated by the Mental Health Code, 2) foster the coordination and integration of rights protection services, and 3) assure an informed and knowledgeable consumer population. The Recipient Rights Conference is self-funded, using no general fund resources. Each year, the conference offers mental health consumers from across the state the opportunity to attend the sessions through the consumer scholarship fund, a collaboration of the conference and CMHSP's. The conference covers the cost of registration and hotel accommodations; travel expenses are provided by the sponsoring CMHSP.

The 14<sup>th</sup> annual conference was held October 23 – 26, 2007, at Crystal Mountain in Thompsonville, Michigan. Approximately 300 individuals attended, including 14 consumers who were chosen to receive scholarships. For the third year, recipients from across the state were asked to submit photos of their art or craftwork, 13 of which were chosen to be depicted on a 2008 calendar produced by the conference. Once again this year, the conference was approved for continuing education units for Michigan Social Workers by the Michigan Social Work Continuing Education Collaborative, and for the first time, continuing education credit was offered for nurses.

The 2007 conference featured a pre-conference session on Substance Abuse Confidentiality Issues presented by staff from the Legal Action Center of New York, four general sessions featuring nationally-known speakers including Robert Bernstein, Director of the Bazelon Center and Susan Stefan from the Center for Public Representation and 16 wide-ranging breakout sessions with topics as varied as the role of the Mental Health Court, Mental Health Rights in the Correctional Setting, Anti-Bias Education (in conjunction with the Anti-Defamation League of Michigan), and several sessions dealing with improving investigative techniques. Responses to the conference evaluation indicated an overall satisfaction level of 4.49 on a scale of 1 to 5. These responses, and the areas they evaluated, are depicted in the graph below:



## **DCH-ORR Training Unit Goals and Objectives for FY 2007/2008**

### **Goal I: Assure a uniformly high standard in the protection of rights of recipients**

Objective A: Through education, assure that a standardized training program on the operation of a recipient rights office is developed and made available to community (CMHSP) and hospital (LPH/U) rights staff.

*Progress: Completed*

### **Goal II: Promote the rights of recipients through education and training of providers and interested others**

Objective A: In conjunction with the DCH-ORR Community Rights Unit, establish minimum content standards for new hire rights training based upon employee types.

*Progress: Incomplete*

Objective B: In conjunction with the DCH-ORR Community Rights Unit, complete development and implement RMHA Director training.

*Progress: Incomplete*

Objective C: Establish process to assure that all DCH and community staff, as applicable, are trained in any legislative or regulatory changes impacting on recipient rights.

*Progress: Completed*

Objective D: Provide rights education, as required by the MHC, to staff of DCH Central Office.

*Progress: Completed*

Objective E: Provide rights education and information to staff at DCH operated Hospitals and Centers.

*Progress: Completed*

Objective F: Provide an annual educational conference for rights staff, consumers, and other professionals in rights related fields.

*Progress: Completed*

## **PART IV - COMMUNITY RIGHTS UNIT**

### **CMHSP Rights Systems Assessments**

Section 755 of the Michigan Mental Health Code requires the establishment of an office of recipient rights in each community mental health services program (CMHSP).

Chapter 2 of the Mental Health Code requires that the Department of Community Health promulgate rules to establish standards for certification and the certification review process for CMHSPs.

Administrative Rule 330.2801 requires the department to assess the CMHSPs compliance with certification standards by determining the degree to which all of the following provisions apply:

- a) The CMHSP has established processes, policies and procedures necessary to achieve the required result.
- b) The established processes, policies and procedures are properly implemented.
- c) The expected result of the processes, policies and procedures is being achieved.

The Mental Health Code also requires that DCH, through its Office of Recipient Rights established pursuant to Section 754 of the statute, review the CMHSP rights systems in order to "ensure a uniformly high standard of recipient rights protection throughout the state."

The certification standards must include those for the protection and promotion of recipient rights (MCL 330.232a[1][b]). Although standards as to matters of CMHSP governance, resource management, quality improvement, service delivery and safety management may be waived by the department in whole or in part as the result of the CMHSP's accreditation by a nationally recognized accrediting body, this is not the case relative to standards established by the department in regard to the protection and promotion of recipient rights.

### **Assessment Process**

Each CMHSP recipient rights system is assessed annually by two ORR Community Rights Specialists through careful review of and follow-up on semi-annual and annual reports prepared by each CMHSP rights office and submitted by their executive director. Annually, the Rights Specialists also conduct an onsite assessment of approximately one-third of the CMHSPs. This three day onsite review includes an entrance conference; compliance review of complaint case files, logs, Code-mandated reports and notices, appeals cases; review of contract language to ascertain clarity as to how rights will be protected during the contract period; review of training records for agency staff, contracted service providers and employees of contracted service providers; compliance review of all twenty-two rights-related policies required by the Code and an exit conference. Site visits were discontinued in FY 2008 in order that the Community Rights Specialist could provide more direct technical assistance to the CMHSP rights office and more adequately review the quality of the site monitoring conducted by the CMHSP rights office.

## Assessments Results - 2008

Fifteen (15) CMHSP rights protection systems were evaluated through onsite assessments conducted by the Office of Recipient Rights Community Rights Unit Specialists from March 2008 through November 2008. Beginning in March of 2001, a rights system was scored as being in less than substantial compliance, even if the overall score was in the range of substantial compliance, if the Specialist determined that a deficiency which was previously cited in the last assessment had not been corrected at the time of the current assessment. CMHSPs that were scored in this manner have an \* in the table which follows. Evidence that the repeat citation has been corrected must be provided to DCH-ORR within 30 days of receipt by the CMHSP of the assessment report.

In 2007, as a means of more expediently identifying in which specific areas the CMHSP rights system excelled or had difficulty, Attachment A, Standards, was reformatted to reflect the weighting of particular standards. The previous Attachment A standards were organized into eight (8) separate sections, each with its own weighted multiplier specified as follows:

| <u>Section</u>                                      | <u>Multiplier</u> |
|---|-------------------|
| Section I: The Office of Recipient Rights           | 1.00              |
| Section II: Contracts                               | 0.85              |
| Section III: ORR Requirements                       | 1.072             |
| Section IV: Semi & Annual Report                    | 0.30              |
| Section V: Policies                                 | 0.75              |
| Section VI: RRAC                                    | 0.75              |
| Section VII: Complaint Investigation and Resolution | 1.25              |
| Section VIII: Appeal/Dispute Resolution             | 1.25              |

The multiplier reflects the weighted difficulty or complexity of the standards contained in each section. Each standard was still scored at 2 points for full compliance, 1 point for partial compliance and 0 points for non-compliance. The minimum score required for substantial compliance with established standards was again 277.0 out of a possible 292, evidencing a 95% compliance rate.

### *2008 Rights System Assessment Results*

| Date    | CMHSP   | Score | Results |
|---------|---|-------|---------|
| 3/4-3/6 | Livingston County CMH Authority<br>Mac Miller<br>Executive Director<br>Elizabeth Mooney, Kristen Ora<br>Recipient Rights Officers | 292   | FC      |

| <b>Date</b> | <b>CMHSP</b>   | <b>Score</b> | <b>Results</b> |
|-------------|--|--------------|----------------|
| 3/18-3/20   | Manistee-Benzie CMH  | 285.9        | LSC*           |
| 4/8-4/10    | Riverwood (Berrien) CMH Authority  | 289.5        | LSC*           |
| 4/22-4/24   | Bay-Arenac Behavioral Health<br>Robert Blackford<br>Executive Director<br>Linda Maze<br>Recipient Rights Manager | 292          | FC             |
| 5/20-5/22   | Lifeways   | 285.2        | SC             |
| 6/3-6/5     | Ionia County CMH   | 288.25       | LSC*           |
| 6/24-6/26   | Copper Country CMH Services  | 291.3        | SC             |
| 7/8-7/10    | Tuscola Behavioral Health Systems  | 288.25       | SC             |
| 8/12-8/14   | Sanilac County CMH<br>Dr. Roger Dean<br>Executive Director<br>Mary Simon<br>Recipient Rights Officer             | 292          | FC             |
| 8/26-8/28   | Lenawee CMH Services<br>Roger Myers<br>Executive Director<br>Frances Foley<br>Recipient Rights Officer           | 292          | FC             |
| 9/9-9/11    | CMH for Central Michigan   | 282.2        | SC             |
| 9/22-9/26   | Detroit-Wayne CMH Agency   | 270.6        | LSC            |
| 10/7-10/9   | CMH of Ottawa County<br>Dr. Michael Brashears<br>Executive Director<br>Gentry Mohr<br>Recipient Rights Director  | 292          | FC             |
| 11/18-11/20 | Summit Pointe  | 286.3        | SC             |

### **Results**

FC: Full Compliance; score of 292, SC: Substantial Compliance; score of 277 to 292, LSC: Less than Substantial Compliance; score of less than 277, LSC\*: see introduction.



## Information and Referral

The Rights Information Analyst is responsible for the provision of all information and referral services including systematic data collection, entry and analysis relative to these services as well as the semi-annual and annual reports received from the CMHSPs and licensed private psychiatric hospitals.

Complaints received at the Department Office in Lansing are referred to the rights office having jurisdiction over the matter. Data was collected regarding the number of letters received by the office during FY 2007/2008. There were 407 written complaints referred through the Department of Community Health Office of Recipient Rights in Lansing. Of these, 207 were referred to CMH Rights Offices, 132 to LPH/U rights offices, 31 to state facilities/centers and 12 to the Bureau of Forensic Mental Health Services. One complaint was opened by the central office, 13 complaints were referred to outside agencies and 11 were duplicates of complaints or could not be forwarded. Although the Department has previously referred complaints by letter, in the upcoming year, in order to expedite the process, whenever possible, complaints will be faxed to the rights offices having jurisdiction.

The Rights Information Analyst also acts as support to the Training Unit, Community Rights Specialists and the ORR Director of Community and Field Operations. The Information Analyst maintains the Rights Advisors/Officers Directory, available via e-mail and the DCH website. DCH-ORR also maintains a mass e-mail directory, which includes all CMHSP rights offices and all LPH/U rights advisors.

## Complaint Reporting

In FY 2007-2008, in addition to the complaint data collected in the past, all 46 CMHs and 58/60 LPH/Us submitted information regarding the origin of complaints received by their offices. It is hoped that this data set as well as expanded demographic data to be reported for the first time in the FY 2008-2009 Annual Report, will allow DCH-ORR to better analyze and identify trends in Michigan's recipient rights protection system.

| <b>Complaint Source</b>  | <b>CMH</b>  | <b>LPH/U</b> |
|--------------------------|-------------|--------------|
| Recipient                | 2951        | 3769         |
| Staff                    | 1725        | 92           |
| ORR                      | 1357        | 123          |
| Guardian/Family          | 574         | 161          |
| Anonymous                | 356         | 50           |
| Community/General Public | 499         | 32           |
| <b>Total</b>             | <b>7462</b> | <b>4227</b>  |

## Training Conducted By Community Rights Unit Staff

|                                     |                  |            |
|-------------------------------------|------------------|------------|
| Alternative Decision Making         | October 2007     | 30         |
| Ethical Tensions                    | March 2008       | 40         |
| Introduction to Rights “Rights 101” | July 2008        | 15         |
| Building Blocks of Report Writing   | August-2008      | 16         |
| Building Blocks of Report Writing   | September – 2008 | 10         |
| <b>Total</b>                        |                  | <b>138</b> |

## **DCH-ORR Community Rights Unit Progress on FY 2007/2008**

### **Goals and Objectives:**

**Goal I:**      Assure a uniformly high standard in the protection of rights of recipients

Objective A:   Obtain authority to conduct bi-annual rights system assessments of licensed LPH/Us.

*Progress: Authority not given*

Objective B:   Data will be reported in a consistent and uniform manner in semi and annual rights reports.

*Progress: Completed. In FY 2007/2008, a workgroup of CMHSP/LPH Rights Officers/Advisors was established and was facilitated by Mark Mishal, MDCH-ORR Community Rights Specialist. Enhancements to the semi and annual report formats were done to allow for more expedient trending by DCH-ORR and to allow for comparative analysis by the CMHSPs and LPH/Us. These enhancements have been used by MDCH for trending and analysis in this year's Annual Report.*

**Goal II:**      Promote the rights of recipients through education and training of providers and interested others

Objective A:   In conjunction with the DCH-ORR Training Unit, establish minimum content standards for new hire rights training based upon employee types.

*Progress: Incomplete. Currently pending completion of curricula by DCH-ORR Training Specialist*

Objective B:   In conjunction with the DCH-ORR Training Unit, complete development and implement RMHA Director training

*Progress: Incomplete. Community Rights Unit submitted curriculum content suggestions April 2007. Currently pending completion of curricula and formal presentation by DCH-ORR Training Specialist*

## **DCH-ORR Community Rights Unit Goals and Objectives for FY 2009**

**Goal I:**      Assure a uniformly high standard in the protection of rights of recipients

Objective:      Obtain authority to conduct recipient rights system assessments of licensed LPH/Us.

**Goal II:**      Promote the rights of recipients through education and training of providers and interested others

Objective:      In conjunction with the DCH-ORR Training Unit, complete development and implement CMHSP Executive Director training

## PART V - REVIEW OF BUDGETARY ISSUES

Michigan Mental Health Code at MCL 330.1754 [2] The department shall ensure all of the following:  
(a) The process for funding the state office of recipient rights includes a review of the funding by the state recipient rights advisory committee.

Michigan Mental Health Code at MCL 330.1754 (3) The department shall endeavor to ensure all of the following: (a) The state office of recipient rights has sufficient staff and other resources necessary to perform the duties described in this section.

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The present spending plan for the Office of Recipient does not detail the present financial resources that are available to the Office to carry out its statutorily mandated functions.

The budget for the office is essentially unchanged from FY 07.

Below is the Office of Recipient Rights Spending Plan for 2008/2009:

| Expenditures<br>Description       | Period of<br>Performance | GF/GP<br>PCA<br>10000 |
|-----------------------------------|--------------------------|-----------------------|
| <b>Office of Recipient Rights</b> | 10/01/07-9/30/08         |                       |
| Salary & Fringe FTE = 20.0        |                          | 2,011,100             |
| CSS&M                             |                          | 75,000                |
| ORR Printing                      |                          | 20,000                |
| Travel                            |                          | 70,000                |
| <b>Total</b>                      |                          | <b>\$2,022,900</b>    |

## Appendix A: Annual Report Form

Demographic Data for:

Agency Name \_\_\_\_\_

**CMHSP:**

Geographic Area: \_\_\_\_\_ sq. mi (One time- completed by DCH)

Number of Consumers Served (unduplicated count): \_\_\_\_\_

Number of Service Sites:

| Type of Site             | In Catchment Area | Out of Catchment | Site Visit Required |
|--------------------------|-------------------|------------------|---------------------|
| Out Patient              |                   |                  |                     |
| Residential MI           |                   |                  |                     |
| Residential DD           |                   |                  |                     |
| Inpatient                |                   |                  |                     |
| Day Program MI           |                   |                  |                     |
| Day Program DD           |                   |                  |                     |
| Workshop (prevocational) |                   |                  |                     |
| Supported Employment     |                   |                  |                     |
| ACT                      |                   |                  |                     |
| Case Management          |                   |                  |                     |
| Psychosocial Rehab       |                   |                  |                     |
| Partial Hospitalization  |                   |                  |                     |
| SIP                      |                   |                  |                     |
| Other                    |                   |                  |                     |

Total Number of Service Sites that Require Site Visits: \_\_\_\_\_

Total Number of Site Visits Conducted: \_\_\_\_\_

Number of Rights FTEs\*: \_\_\_\_\_

Please explain the breakdown of staff (if there is one); investigators/administrators, clerical/support, trainers

Number of Complainants (unduplicated count): \_\_\_\_\_

**LPH/U:** Number of Patient Days: \_\_\_\_\_ (by DCH-BHS)

Populations Served: \_\_\_\_\_

Number of Rights FTEs\*: \_\_\_\_\_

Please explain the breakdown of staff (if there is one); investigators, clerical/support, trainers

Number of Complainants (unduplicated count): \_\_\_\_\_

Involuntary: \_\_\_\_\_

Voluntary: \_\_\_\_\_

**State Facility:** Number of Patient Days: \_\_\_\_\_

Populations Served: \_\_\_\_\_

Number of Rights FTEs\*: \_\_\_\_\_

Please explain the breakdown of staff (if there is one); investigators, clerical/support, trainers

Number of Complainants (unduplicated count): \_\_\_\_\_

## Michigan Department of Community Health Recipient Rights Data Report

**Agency:** \_\_\_\_\_

**CMHSP's: Indicate DCH assigned two-digit CMHSP Board Number:** \_\_\_\_\_

**Officer:** \_\_\_\_\_

**Reporting Period:**

10/1/2008

to

9/30/2009

☒ **Annual**

☐ **Semi-Annual**

### Section I: *Complaint Data Summary:*

#### Part A: Totals

|                                 |          |
|---------------------------------|----------|
| <b>Complaints Received</b>      | <b>0</b> |
| <b>Allegations Involved</b>     | <b>0</b> |
| <b>Allegations Investigated</b> | <b>0</b> |
| <b>Substantiated</b>            | <b>0</b> |

#### Complaint Source

|                                 |          |
|---------------------------------|----------|
| <b>Recipient</b>                |          |
| <b>Staff</b>                    |          |
| <b>ORR</b>                      |          |
| <b>Guardian/Family</b>          |          |
| <b>Anonymous</b>                |          |
| <b>Community/General Public</b> |          |
| <b>Total</b>                    | <b>0</b> |

(this will self-fill & should = C14)

#### Timeframes of Completed Investigations

|               | <b>Total</b> | <b>≤30</b> | <b>≤60</b> | <b>≤90</b> | <b>&gt;90</b> |
|---------------|--------------|------------|------------|------------|---------------|
| Abuse/Neglect | 0            | 0          | 0          | 0          | 0             |
| All others    | 0            | 0          | 0          | 0          | 0             |

**Part B: Aggregate Summary**

## 1. Freedom from Abuse

| Code  | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated | Recipient Population |    |     |
|-------|--|----------|---------------|--------------|-----------------------------|------------------------------|----------------------|----|-----|
|       |  |          |               |              |                             |                              | MI                   | DD | SED |
| 72210 | abuse class I                            |          |               |              |                             |                              |                      |    |     |
| 72221 | abuse class II - nonaccidental act       |          |               |              |                             |                              |                      |    |     |
| 72222 | abuse class II - unreasonable force      |          |               |              |                             |                              |                      |    |     |
| 72223 | abuse class II - emotional harm          |          |               |              |                             |                              |                      |    |     |
| 72224 | abuse class II - treating as incompetent |          |               |              |                             |                              |                      |    |     |
| 72225 | abuse class II - exploitation            |          |               |              |                             |                              |                      |    |     |
| 72230 | abuse class III                          |          |               |              |                             |                              |                      |    |     |
| 72240 | abuse class I - sexual abuse             |          |               |              |                             |                              |                      |    |     |

## 2. Freedom from Neglect

| Code  | Category                              | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated | Recipient Population |    |     |
|-------|---------------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|----------------------|----|-----|
|       |                                       |          |               |              |                             |                              | MI                   | DD | SED |
| 72251 | neglect class I                       |          |               |              |                             |                              |                      |    |     |
| 72252 | neglect class I - failure to report   |          |               |              |                             |                              |                      |    |     |
| 72261 | neglect class II                      |          |               |              |                             |                              |                      |    |     |
| 72262 | neglect class II - failure to report  |          |               |              |                             |                              |                      |    |     |
| 72271 | neglect class III                     |          |               |              |                             |                              |                      |    |     |
| 72272 | neglect class III - failure to report |          |               |              |                             |                              |                      |    |     |

## 3. Rights Protection System

| Code | Category                        | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated | Recipient Population |    |     |
|------|---------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|----------------------|----|-----|
|      |                                 |          |               |              |                             |                              | MI                   | DD | SED |
| 7060 | notice/explanation of rights    |          |               |              |                             |                              |                      |    |     |
| 7520 | failure to report               |          |               |              |                             |                              |                      |    |     |
| 7545 | retaliation/harassment          |          |               |              |                             |                              |                      |    |     |
| 7760 | access to rights system         |          |               |              |                             |                              |                      |    |     |
| 7780 | complaint investigation process |          |               |              |                             |                              |                      |    |     |
| 7840 | appeal process/mediation        |          |               |              |                             |                              |                      |    |     |

## 4. Admission/Discharge/Second Opinion

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated | Recipient Population |    |     |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|----------------------|----|-----|
|      |  |          |               |              |                             |                              | MI                   | DD | SED |
| 4090 | second opinion - denial of hospitalization       |          |               |              |                             |                              |                      |    |     |
| 4190 | termination of voluntary hospitalization (adult) |          |               |              |                             |                              |                      |    |     |
| 4510 | court hearing/process                            |          |               |              |                             |                              |                      |    |     |
| 4630 | independent clinical examination                 |          |               |              |                             |                              |                      |    |     |
| 4980 | objection to hospitalization (minor)             |          |               |              |                             |                              |                      |    |     |
| 7050 | second opinion - denial of services              |          |               |              |                             |                              |                      |    |     |

## 5. Civil Rights

| Code | Category  | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated | Recipient Population |    |     |
|------|---|----------|---------------|--------------|-----------------------------|------------------------------|----------------------|----|-----|
|      |   |          |               |              |                             |                              | MI                   | DD | SED |
| 7041 | civil rights: discrimination, accessibility, accommodation, etc |          |               |              |                             |                              |                      |    |     |
| 7044 | religious practice  |          |               |              |                             |                              |                      |    |     |
| 7045 | voting  |          |               |              |                             |                              |                      |    |     |
| 7047 | presumption of competency                                       |          |               |              |                             |                              |                      |    |     |
| 7284 | search/seizure  |          |               |              |                             |                              |                      |    |     |

## 6. Family Rights

| Code | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated | Recipient Population |    |     |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|----------------------|----|-----|
|      |  |          |               |              |                             |                              | MI                   | DD | SED |
| 7111 | family dignity & respect                 |          |               |              |                             |                              |                      |    |     |
| 7112 | receipt of general education information |          |               |              |                             |                              |                      |    |     |
| 7113 | opportunity to provide information       |          |               |              |                             |                              |                      |    |     |

## 7. Communication &amp; Visits

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated | Recipient Population |    |     |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|----------------------|----|-----|
|      |  |          |               |              |                             |                              | MI                   | DD | SED |
| 7261 | visits   |          |               |              |                             |                              |                      |    |     |
| 7262 | contact with attorneys or others regarding legal matters |          |               |              |                             |                              |                      |    |     |
| 7263 | access to telephone, mail                                |          |               |              |                             |                              |                      |    |     |
| 7264 | usage  |          |               |              |                             |                              |                      |    |     |
| 7265 | written and posted limitations, if established           |          |               |              |                             |                              |                      |    |     |
| 7266 | uncensored mail  |          |               |              |                             |                              |                      |    |     |



## 8. Confidentiality/Privileged Communications/Disclosure

| Code | Category  | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated | Recipient Population |    |     |
|------|---|----------|---------------|--------------|-----------------------------|------------------------------|----------------------|----|-----|
|      |   |          |               |              |                             |                              | MI                   | DD | SED |
| 7481 | disclosure of confidential information                            |          |               |              |                             |                              |                      |    |     |
| 7485 | withholding of information (includes recipient access to records) |          |               |              |                             |                              |                      |    |     |
| 7486 | correction of record  |          |               |              |                             |                              |                      |    |     |
| 7487 | access by p & a to records  |          |               |              |                             |                              |                      |    |     |
| 7501 | privileged communication  |          |               |              |                             |                              |                      |    |     |

## 9. Treatment Environment

| Code | Category                     | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated | Recipient Population |    |     |
|------|------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|----------------------|----|-----|
|      |                              |          |               |              |                             |                              | MI                   | DD | SED |
| 7081 | safe environment             |          |               |              |                             |                              |                      |    |     |
| 7082 | sanitary/ humane environment |          |               |              |                             |                              |                      |    |     |
| 7086 | least restrictive setting    |          |               |              |                             |                              |                      |    |     |

## 10. Freedom of Movement

| Code | Category                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated | Recipient Population |    |     |
|------|--------------------------|----------|---------------|--------------|-----------------------------|------------------------------|----------------------|----|-----|
|      |                          |          |               |              |                             |                              | MI                   | DD | SED |
| 7441 | restrictions/limitations |          |               |              |                             |                              |                      |    |     |
| 7400 | restraint                |          |               |              |                             |                              |                      |    |     |
| 7420 | seclusion                |          |               |              |                             |                              |                      |    |     |

## 11. Financial Rights

| Code | Category                           | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated | Recipient Population |    |     |
|------|------------------------------------|----------|---------------|--------------|-----------------------------|------------------------------|----------------------|----|-----|
|      |                                    |          |               |              |                             |                              | MI                   | DD | SED |
| 7301 | safeguarding money                 |          |               |              |                             |                              |                      |    |     |
| 7302 | facility account                   |          |               |              |                             |                              |                      |    |     |
| 7303 | easy access to money in account    |          |               |              |                             |                              |                      |    |     |
| 7304 | ability to spend or use as desired |          |               |              |                             |                              |                      |    |     |
| 7305 | delivery of money upon release     |          |               |              |                             |                              |                      |    |     |
| 7360 | labor & compensation               |          |               |              |                             |                              |                      |    |     |

## 12. Personal Property

| Code | Category   | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated | Recipient Population |    |     |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|----------------------|----|-----|
|      |  |          |               |              |                             |                              | MI                   | DD | SED |
| 7267 | access to entertainment materials, information, news |          |               |              |                             |                              |                      |    |     |
| 7281 | possession and use                                   |          |               |              |                             |                              |                      |    |     |
| 7281 | possession and use                                   |          |               |              |                             |                              |                      |    |     |
| 7282 | storage space  |          |               |              |                             |                              |                      |    |     |
| 7283 | inspection at reasonable times                       |          |               |              |                             |                              |                      |    |     |
| 7285 | exclusions   |          |               |              |                             |                              |                      |    |     |
| 7286 | limitations  |          |               |              |                             |                              |                      |    |     |
| 7287 | receipts to recipient and to designated individual   |          |               |              |                             |                              |                      |    |     |
| 7288 | waiver   |          |               |              |                             |                              |                      |    |     |
| 7289 | protection   |          |               |              |                             |                              |                      |    |     |

## 13. Suitable Services

| Code | Category                                       | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated | Recipient Population |    |     |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|----------------------|----|-----|
|      |  |          |               |              |                             |                              | MI                   | DD | SED |
| 1708 | dignity & respect                              |          |               |              |                             |                              |                      |    |     |
| 7003 | informed consent                               |          |               |              |                             |                              |                      |    |     |
| 7029 | information on family planning                 |          |               |              |                             |                              |                      |    |     |
| 7049 | treatment by spiritual means                   |          |               |              |                             |                              |                      |    |     |
| 7080 | mh services suited to condition                |          |               |              |                             |                              |                      |    |     |
| 7100 | Physical and mental exams                      |          |               |              |                             |                              |                      |    |     |
| 7130 | choice of physician/mental health professional |          |               |              |                             |                              |                      |    |     |
| 7140 | notice of clinical status/progress             |          |               |              |                             |                              |                      |    |     |
| 7150 | services of mental health professional         |          |               |              |                             |                              |                      |    |     |
| 7160 | surgery  |          |               |              |                             |                              |                      |    |     |
| 7170 | electro convulsive therapy (ect)               |          |               |              |                             |                              |                      |    |     |
| 7180 | psychotropic drugs                             |          |               |              |                             |                              |                      |    |     |
| 7190 | notice of medication side effects              |          |               |              |                             |                              |                      |    |     |

## 14. Treatment Planning

| Code | Category                                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated | Recipient Population |    |     |
|------|--|----------|---------------|--------------|-----------------------------|------------------------------|----------------------|----|-----|
|      |  |          |               |              |                             |                              | MI                   | DD | SED |
| 7121 | person-centered process                  |          |               |              |                             |                              |                      |    |     |
| 7122 | timely development                       |          |               |              |                             |                              |                      |    |     |
| 7123 | requests for review                      |          |               |              |                             |                              |                      |    |     |
| 7124 | participation by individual(s) of choice |          |               |              |                             |                              |                      |    |     |
| 7125 | assessment of needs                      |          |               |              |                             |                              |                      |    |     |

## 15. Photographs, Fingerprints, Audiotapes, One-way Glass

| Code | Category                 | Received | Investigation | Intervention | Interventions Substantiated | Investigations Substantiated | Recipient Population |    |     |
|------|--------------------------|----------|---------------|--------------|-----------------------------|------------------------------|----------------------|----|-----|
|      |                          |          |               |              |                             |                              | MI                   | DD | SED |
| 7241 | prior consent            |          |               |              |                             |                              |                      |    |     |
| 7242 | identification           |          |               |              |                             |                              |                      |    |     |
| 7243 | objection                |          |               |              |                             |                              |                      |    |     |
| 7244 | release to others/return |          |               |              |                             |                              |                      |    |     |
| 7245 | storage/destruction      |          |               |              |                             |                              |                      |    |     |

## 17. No Right Involved

| Code | Category          | Received |
|------|-------------------|----------|
| 0000 | no right involved |          |

insert the  
same number


## 18. Outside Provider Jurisdiction

| Code | Category                      | Received |
|------|-------------------------------|----------|
| 0001 | outside provider jurisdiction |          |

insert the  
same number


0                      0                      0                      0                      0    0    0    0    0

**Part C: Remediation of Substantiated Rights Violations (includes complaints investigated and those addressed through other interventions) Identify service sites & remedial action. If you have more than one action it should all be placed in 1 box with the lower number first. List the number of recipients in each population involved:**

|                   |                       |  |  |    |    |     | waiver populations |            |     |
|-------------------|-----------------------|--|--|----|----|-----|--------------------|------------|-----|
| Code<br>(from 1B) | Category<br>(from 1B) | Specific<br>Provider<br>Type<br>(number<br>only) | Specific<br>Remedial<br>Action<br>Type<br>(number<br>only) | MI | DD | SED | SED<br>-W          | DD-<br>CWP | HSW |
|                   |                       |  |  |    |    |     |                    |            |     |
|                   |                       |  |  |    |    |     |                    |            |     |
|                   |                       |  |  |    |    |     |                    |            |     |
|                   |                       |  |  |    |    |     |                    |            |     |
|                   |                       |  |  |    |    |     |                    |            |     |

Collection of the population information related to remedial action will begin 10/01/09 and reported in the semi-annual report of 2009/2010.

**SECTION II: TRAINING ACTIVITY****Part A: Training Received by Office Staff**

| <b>Staff Name</b> | <b>Topic</b> | <b># Hours<br/>(length of training)</b> |
|-------------------|--------------|---|
|                   |              |   |
|                   |              |   |
|                   |              |   |
|                   |              |   |

Please use this template to identify methods used in training on the Annual Report in Section II B Training Provided by Rights Office in Column G. Use as many as apply.

| Method of Training                       |    |
|--|----|
| Face-to-Face                             | 01 |
| Video                                    | 02 |
| Computer                                 | 03 |
| Paper                                    | 04 |
| training includes face to face follow up | 05 |
| Other (please describe)                  |    |

**SECTION II: TRAINING ACTIVITY****Part B: Training Provided by Rights Office**

**Is Update Training Required?** Yes \_\_\_\_ No \_\_\_\_

If Yes, how often: (Annual, Every 2 years, etc.) \_\_\_\_\_

| <b>Topic</b> | <b># Hours</b> | <b># Agency Staff</b> | <b># Contractual Staff</b> | <b># and Type Other Staff</b> | <b># of Consumers</b> | <b>Method of Training</b> |
|--------------|----------------|-----------------------|----------------------------|-------------------------------|-----------------------|---------------------------|
|              |                |                       |                            |                               |                       |                           |
|              |                |                       |                            |                               |                       |                           |
|              |                |                       |                            |                               |                       |                           |

### SECTION III: DESIRED OUTCOMES FOR THE OFFICE & PROGRESS OF PREVIOUS OUTCOMES

Progress on Outcomes established by the office for FY 07/08

|    |   |           |
|----|---|-----------|
| 1. |   |           |
|    | <input type="checkbox"/> Accomplished<br><input type="checkbox"/> Ongoing | Comments: |
| 2. |   |           |
|    | <input type="checkbox"/> Accomplished<br><input type="checkbox"/> Ongoing | Comments: |
| 3. |   |           |
|    | <input type="checkbox"/> Accomplished<br><input type="checkbox"/> Ongoing | Comments: |

Outcomes established by the office for FY 08/09:

|    |  |
|----|--|
| 1. |  |
| 2. |  |
| 3. |  |

### SECTION IV: RECOMMENDATIONS TO THE GOVERNING BOARD

The Advisory Committee recommends the following:

|    |  |
|----|--|
| 1. |  |
| 2. |  |
| 3. |  |